

**FINANCING INDIGENOUS NATIONALISM IN SRI LANKA:
THE CANADIAN-TAMIL CONNECTION**

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Abstract

In the post 9/11 world, Canada can no longer be perceived as a safe resource base for supporters of anti-state political terrorism. As a signatory to international conventions against terrorism and its financing, Canada has mandated its National Security agencies to target groups, such as the Liberation Tigers of Tamil Eelam (LTTE), who, prior to 9/11, freely operated within Canada. Still, the LTTE, who have fought a civil war against the Sinhalese authorities of Sri Lanka, have historically enjoyed substantial financial support amongst the more than 200,000 Tamil expatriates living in Canada.

This major paper examines the causes that compel many Tamil Canadians to continue to fund the LTTE despite enjoying relative economic and social stability in Canada. Central to this major paper is a survey administered to Tamil Canadians that examined the nature of the nationalistic sentiments felt towards the motherland and towards the general objectives of the LTTE. It will be argued that despite these sentiments, Tamil Canadians have a strong desire to find a peaceful solution to the conflict. This major paper will conclude by exploring how Tamil Canadians and Canada can work together to eliminate financial support to the LTTE and bring peace to Sri Lanka. As this major paper was being submitted for final approval, the LTTE leader and some of his commanders were killed by the Sri Lankan Army, who claimed a complete military victory over the LTTE. However, despite the government's euphoria over the apparent end of the conventional war, the fight against terrorism is far from over.

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Abbreviations and Acronyms

A-G

C.C.	Criminal Code of Canada
C.C.C.	Canadian Commercial Corporation
CFA	Cease-fire Agreement
CIA	Central Intelligence Agency
CIDA	Canada International Development Agency
CSIS	Canadian Security Intelligence Service
CTC	Canadian Tamil Congress
EPRLF	Eelam People Revolutionary Liberation Front
EROS	Eelam Revolutionary Organization of Students
EU	European Union
FATF	Financial Action Task Force
FINTRAC	Financial Transactions Reports Analysis Centre of Canada
FP	Federal Party (Tamil)

H-L

HC	High Commissioner
IDP's	Internally Displaced Persons
INSET	Integrated National Security Enforcement Team (Includes RCMP and other law enforcement agencies)
ITAC	Integrated Threat Assessment Centre
ITO	Information to Obtain a Search Warrant
LTTE	Liberation Tigers of Tamil Eelam (AKA: Tamil Tigers)

M-V

NGO's	Non-Governmental Organizations
PLOTE	People Liberation Organization of Tamil Eelam
RCMP	Royal Canadian Mounted Police
SLAF	Sri Lankan Armed Force
SLFP	Sri Lankan Freedom Party
TELO	Tamil Eelam Liberation Organization
TNT	Tamil New Tigers
TRO	Tamil Rehabilitation Organization
TUF	Tamil United Front
TULF	Tamil United Liberation Front
UNP	United National Party

W-Z

WTM	World Tamil Movement
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Introduction

The underpinning of any insurgent group is its ability to raise the required funds to support all its members and activities. Without the constant infusion of capital, freedom fighters and terrorist organizations would not be able to carry out their mission (Ehrenfeld, 2005). For example, it would have been extremely difficult for Al-Qaeda to plan and execute the 9/11 attacks on the Pentagon and the World Trade Centre in the United States if it had not enjoyed a steady flow of cash. To this end, Central Intelligence Agency (CIA) experts estimated that Al-Qaeda spent approximately \$30 million per year prior to the 9/11 attacks in order to sustain its activities and spent between \$400,000.00 and \$500,000.00 on the 9/11 attacks (Jacobson & Colon, 2006). Since this successful attack on the United States, in Canada, the financing of terrorism has become one of the strategic priorities of the government to safeguard national security. One of the organizations long suspected of using Canada as a location and source of terror fundraising has been the Liberation Tigers of Tamil Eelam also known as the Tamil Tigers or LTTE.

It is believed that the Tamil Tigers continue to be active in using intimidation, extortion, drug trafficking, money laundering, and charities in Canada to fund their war in Sri Lanka (Chalk, 1999). These claims, if substantiated, suggest that the LTTE is not only in violation of Canadian law, but is also breaching international laws. Based on an analysis of the strategic objectives and tactics of the LTTE, a number of countries, including Canada, the United Kingdom, and the United States, have listed the LTTE as a terrorist organization and are taking steps to cut off its fundraising activities (Jayasekara, 2009; Public Safety Canada, 2006).

It could be said that the old Maoist theory of “counting on one’s own strength” has been the aphorism of the Tamil people since the beginning of their conflict in Sri Lanka (Bettelheim, 1988). This statement is even more pragmatic considering how the LTTE have managed to finance their activities against the Sinhalese government. Not surprisingly, a well-organized insurgent group requires capital to support recruitment, training camps, housing, food, equipment, explosives, conventional and unconventional weapons, forged identity papers, travel documents, and to pay the families of suicide bombers (Bhaumik, 2001; Ehrenfeld, 2005).

In Canada, recent police investigations have uncovered evidence that elements of the Tamil Diaspora have been involved in supporting the LTTE and raising money for its cause ((Bell & Hall, 2008; Bell, Hamilton, & Humphreys, 2008a, 2008b). This is a growing concern because Canada is internationally committed to combating terrorism, but is perceived as one of the main fundraising locations for this group. There is no doubt that the Tamils of Sri Lanka, particularly since that country’s independence from England in 1948, have suffered from discriminatory policies and practices, as well as violence perpetrated by the Sinhalese majority (Wilson, 2000). Over the years, strong nationalistic sentiments developed among many Tamils. These sentiments have remained with its citizens, even as they fled Sri Lanka following anti-Tamil pogroms (Wilson, 2000). Although Tamils have settled around the world, nationalistic sentiments have remained very strong. Therefore, this major paper will include a discussion of the nationalistic fervor of the Canadian Tamil Diaspora and its role in enticing some Canadian Tamils to fund the war in Sri Lanka. Perhaps new Canadian strategies will need to be developed to ensure that funds raised by the Tamil community are stopped or intercepted before they reach the LTTE.

In order to understand the current conflict, the financing of the LTTE, and the relationship between nationalistic sentiments and financial support to the LTTE, this major paper will be divided into five chapters. Chapter One will examine the historical context of the Sinhalese-Tamil conflict in Sri Lanka. In this chapter, the emergence of the LTTE will be analyzed in addition to an examination of Tamil nationalism, its link to terrorism, and its manifestations within the Tamil Diaspora. Chapter Two will focus on the financing of terrorism from a Canadian perspective. In order to demonstrate the process of terror financing in Canada, a case study will be used to exhibit how the LTTE used elements of the Canadian Tamil Diaspora to finance its war in Sri Lanka. Chapter Three will discuss the methodology used for the survey undertaken for this research. In effect, an on-line survey of a sample of Tamil Canadians was used. Chapter Four will analyze and discuss the survey results. Chapter Five will explore how Canada and Tamil Canadians can work together to eliminate the financial support to the LTTE in Canada and bring peace to Sri Lanka.

have managed to maintain their thousand-year old traditional way of life, relentless pressure from the surrounding dominant communities has contributed to many Aborigines having become absorbed into the mainstream Sinhalese or Tamil societies (Obeyesekere, 2001; U.S. Department of State, 2008). The Sinhalese,¹ who account for nearly three-quarters (74.0 per cent) of the population, are concentrated in the southern, western, central, and north-central parts of the country. The Tamils, who account for just over 8% of the population, are principally established in the northern and eastern parts of the island ("CIA World Factbook," 2007; "Sri Lanka: In Encyclopaedia Britannica," 2007). The conflict between the Sinhalese and the Tamils is believed to date as far back as the 14th century, when a South Indian dynasty, called Arya Chakaravartis, seized power in the north and founded a Tamil kingdom (De Silva, 2005). This kingdom, located near the Jaffna peninsula, soon expanded southward and initiated conflicts with the Sinhalese in order to exact tribute from the south-west and central regions held by the Sinhalese (De Silva, 2005; "Sri Lanka: In Encyclopaedia Britannica," 2007). The confrontations between the two factions created a political division that weakened the island and made it prone to foreign invasions ("Sri Lanka: In Encyclopaedia Britannica," 2007).

Around 1505 AD, the Portuguese landed near Colombo and were met by friendly Sinhalese with whom they later entered into a commercial trade agreement (Zeylanicus, 1970). In time, the Portuguese gained control over areas of the coastal regions that had once been part of the Sinhalese and Tamil kingdoms. Portuguese attempts to conquer the central part of the island, however, were never successful. During the Portuguese period

¹ The Sinhalese are believed to have come to Sri Lanka from northern India starting in the 5th century BC ("Sa Majeste La Reine c. World Tamil Movement," 2006; "Sri Lanka: In Encyclopaedia Britannica," 2007).

of rule, Christianity was introduced as was Western-style education and culture (Herath, 2002).

The Dutch were the next European power to arrive in Sri Lanka in the early seventeenth century. By 1658, the two European powers entered into a war that saw the Portuguese defeated and expelled from the island (Herath, 2002; Zeylanicus, 1970). One century later, the Dutch suffered the same fate, this time at the hands of the British, who expelled them and took over the lowlands of the island, which was later renamed Ceylon (De Silva, 2005). Ceylon, like most British colonies, was organized on the basis of the military, strategic, economic, and political convenience of the British Empire (Cohen & Corrado, 2005). Furthermore, little to no consideration for the historical hostilities among ethnic groups was given to these colonies whose ethnic groups or tribes were forced to exist within the colonial administration boundary (Cohen & Corrado, 2005).

As long as British rule remained autocratic, the rivalry between the Tamils and the Sinhalese remained below the surface. On February 4, 1948, Ceylon gained full independence from England. This raised the expectations of all its people for a better future ("BBC News: History of the Conflict in Sri Lanka," 2006; Herath, 2002; "Sri Lanka: In Encyclopaedia Britannica," 2007). However, a new Sinhalese majority parliament would soon favor a revival of Sinhalese Buddhist nationalism to the detriment of the other minorities, including the Tamils and the Muslims (De Silva, 2005).

1.1 Sri Lankan Independence

On February 4, 1948, Sri Lanka (formerly known as Ceylon),² became an independent nation after more than 150 years of British Colonial rule ("Sri Lanka: In

² Ceylon was the name given to the country by the European settlers. The country officially changed its name to Sri Lanka in 1972 ("Sri Lanka: In Encyclopaedia Britannica," 2007).

Encyclopaedia Britannica," 2007). At first, it seemed that elite members of the two main ethnic groups, the majority Sinhalese and the minority Ceylon Tamils, would put their cultural differences aside and rule the island nation in harmony. As mentioned earlier, the expectation of a better future was high and all of the different communities were eager to free themselves from the remnants of colonial bonds and revive their language, religion, and culture (Herath, 2002; Zeylanicus, 1970). Unfortunately, relations between the Sinhalese and the Tamils eroded within a decade.

In 1948, the Sinhalese United National Party (UNP), led by Don Stephen Senanayake, passed legislation depriving more than one million Indian Tamil plantation workers of their Ceylonese citizenship (Bose, 1994).³ This was followed the next year by another piece of legislation, the *Ceylon Elections Amendment Act*, which deprived the Indian Tamils of voting rights (Makenthiran, 2004; Wilson, 2000). These actions caused Indian Tamils, constituting 13% of the population, to be left powerless in the state (De Silva, 2005). It is also important to note that the taking away of the citizenship and voting rights of Indian Tamils was not initially perceived by Ceylon Tamils as a discriminatory act because both groups spoke Tamil. From the beginning of independence, no political party, including the Sinhalese and Ceylon Tamils, was willing to accept Indian Tamils either as an integral element or as citizens of Sri Lanka because they were considered outsiders brought on the island by the British (Herath, 2002). Furthermore, left-wing political groups, who traditionally were opposed to the UNP, considered the Indian Tamil workers as possible allies to defeat the UNP during general elections. Consequently, the

³ The Tamil people of Sri Lanka comprised two main groups: the Sri Lankan Tamils, who are long-settled descendants from southeastern India, and the Indian Tamils, who are recent immigrants, also from southeastern India. However, the Indian Tamils are migrant workers who were brought in under British rule to work in the tea plantations. Together, these two groups account for approximately 8.5% of the total population. Muslim Sri Lankans, who speak Tamil, account for approximately 7% of the total population. They are descendants of the Arab traders of the 10th century ("CIA World Factbook," 2007; "Sri Lanka: In Encyclopaedia Britannica," 2007).

citizenship legislation served to assuage fears that Indian Tamils would support and vote for left-wing political groups and bring down the UNP (De Silva, 2005). Thus, from 1948 to 1956, and despite the woes of the Indian Tamils, Sri Lanka experienced a relatively stable period under the leadership of the United National Party (Zeylanicus, 1970). During this phase, major development projects were introduced in an effort to raise the standard of living in the country through irrigation and land settlement programs in the dry zone (Zeylanicus, 1970).⁴ These programs, which included colonization, the building of hydro-electric facilities, and the establishment of cotton and sugar plantations, were also intended to directly enhance the conditions of the peasantry in both the Tamil and Sinhalese areas (Zeylanicus, 1970).

Although the intentions of the government may have been sincere, Ceylon Tamil opinion changed, especially after the 1956 passage of the discriminatory *Official Language Act*. From that moment, Ceylon Tamils began to interpret the previous and contemporary actions of the Sinhalese government, such as the disenfranchisement of Indian Tamils, the colonization schemes, and the Sinhala-only language law, as “Sinhalese concealed agendas” (Herath, 2002; Zeylanicus, 1970). Regardless of whether this conclusion was correct, relations between the two ethnic groups deteriorated (Herath, 2002).

Between 1956 and 1965, Ceylon, under the leadership of the Sri Lankan Freedom Party (SLFP), became a troubled country. During this period, the country saw an awakening of racial and religious tensions between the two nations. As the political and racial situation worsened, anti-Tamil riots erupted. Repression of the Tamil language

⁴ Sri Lanka features two climatic areas: a wet zone in the southwest and a dry zone in the north and east. The wet zone receives an average precipitation of more than 3,810 mm (150 in.) each year, while some areas of the dry zone receive only 1,270 mm (about 50 in.) of rain each year (Sri Lanka's Climate, 2007).

eventually fueled demands by the Tamil minority for an independent state ("Sri Lanka: History of the Civil War," 2007).

In the early 1970s, a new Tamil political party, the Tamil United Liberation Front (TULF), was created to represent the interests of the Tamil people and seek an autonomous or independent state. However, radical Tamil youth, who were not satisfied with the TULF's non-militant approach, formed a militant wing, which later splintered into a number of groups. One of these groups became the LTTE (Herath, 2002; The Memorial Institute for the Prevention of Terrorism, 2007).

The late 1970s and the early 1980s witnessed a short period of quiescence in relations between the Tamils and the Sinhalese. During this period, many changes were made in language policy which benefited the Tamils (De Silva, 2005). For example, the controversial university admission policy, passed in 1971, was modified to make it more equitable for Tamil students by no longer compelling them to obtain higher aggregate marks than their Sinhalese counterparts (De Silva, 2002).

Despite attempts from moderates on both sides to restore peace to the island, radical Tamils increased their violence against the state which responded by increasing their level of violence (De Silva, 2005). Savagery on the island reached an all-time high in July 1983, when an anti-Tamil pogrom in Colombo and in other Sinhalese areas killed up to 3,000 Tamils and created another 150,000 war refugees (Bose, 1994; "Sri Lanka: History of the Civil War," 2007). It is believed that these events, among others, such as the burning of ancient Tamil books at the Jaffna library in 1981 by a group of anti-Tamil thugs, eventually contributed to promoting strong Tamil nationalist sentiments and led to the initiation of an all-out war between the Sinhalese state and the LTTE (Knuth, 2006; Peris, 2001; Sabaratnam, 2003; Wilson, 2000).

1.2 Legislated Discrimination

As mentioned above, discriminatory laws were passed against Indian Tamils shortly after Ceylon became an independent nation. Although one could argue that these laws were draconian and unfair, the Ceylon Tamil elite, which at that time, formed a very small inclusion within the Sinhalese government, were also to blame for the misfortunes of the Indian Tamils as the former also voted in favor of legislation detrimental to Indian Tamils (Wilson, 2000). However, when the Sinhalese government passed laws that discriminated against the Ceylon Tamils, who were no longer included within the Sinhalese government, a profound change took place among Tamils, leading to an alliance of all Tamil-speaking people, whether they were Ceylon Tamils, Indian Tamils, or Tamil-speaking Muslims (Wilson, 2000).

For the purposes of this major paper, one event which signaled the beginning of Tamil nationalism will be examined. As mentioned above, in June 1956, the Ceylonese government, which had followed a policy of using Sinhala and Tamil as its official languages, decided to introduce the *Official Language Act* (Rupesinghe, 2006). The Act dictated that the Sinhala language would be the sole official language of Ceylon (Rupesinghe, 2006). Furthermore, the Act provided a clause stipulating that if immediate implementation was impracticable, the language or languages currently in use could be continued until the necessary changes were able to take effect. However, these changes had to be completed before December 31, 1960 (De Silva, 2005; Rupesinghe, 2006). The implication of this legislation was enormous as it created genuine fear in the minds of all minorities and limited access to public employment for Sinhala-speaking people only (Rupesinghe, 2006). From its inception, the legislation had negative consequence on

inter-ethnic relations. This gave rise to a series of protest campaigns, both inside and outside the legislature, eventually leading to communal violence (Herath, 2002; Wilson, 2000).

Although very few Sri Lankan scholars argued that the *Official Language Act* was not discriminatory and did not lead to a deterioration of Sinhalese-Tamil relations (Wilson, 2000), it could be debated that, although the intentions of the Sinhalese government were not necessarily discriminatory, they derived from a political desire to ensure the Sri Lankan Freedom Party (SLFP) a victory over its political opponent, the United National Party (UNP). In order to better understand this issue, one must appreciate the political context of Sri Lanka in 1956. At that time, there were several political parties, two of which the SLFP and the UNP, dominated the political agenda. The Tamil electorate was mainly represented by the Tamil Federal Party (FP) (Herath, 2002). A fierce rivalry existed between the UNP and the SLFP, whose leader, S.W.R.D. Bandaranaike, had been a minister within the UNP. Bandaranaike's non-secular views and his penchant for a Sinhalese Buddhist revival had earlier caused a major crisis within the UNP, and, in 1951, he was forced to leave the party (Bose, 1994; Herath, 2002; Zeylanicus, 1970). Later that year, he formed the SLFP.

During the 1956 general elections, Bandaranaike and the SLFP appealed to a large majority of Sinhalese Buddhist voters by presenting a one-point political platform that was encapsulated by the words: "Sinhalese-Only". Under this platform, the SLFP promised its electorate that Sinhala would be the sole official language of Sri Lanka within twenty-four hours of it coming to power (Bose, 1994). At stake was much more than just a language issue. Sri Lanka, under the neo-colonial system, had reserved approximately 90% of government employment for a privileged 10% English-speaking

minority comprised of both Sinhalese and Tamil people (Bose, 1994). The adoption of Sinhala as the official language meant that members of the vernacular-educated Sinhalese majority would now have a chance to seek lucrative and coveted government jobs (Bose, 1994). However, the situation was quite different for the Ceylon Tamils, who under British rule, and with moderate means of subsistence, had managed to give their children an English education. Therefore, a class-distinction between the English-educated and the vernacular-educated arose (Bose, 1994). Anti-English sentiments soon turned into anti-Tamil sentiments among the vernacular-educated Sinhalese Buddhist majority (Bose, 1994).

Enticing a considerable number of Sinhalese voters as a result of its “Sinhala-Only” language platform, the SLFP swept the 1956 general elections with a large majority over its rival, the UNP, and, as promised, legislated the *Official Language Act* (“Dates of nomination, election, dissolution, and duration of Parliaments,” 2007; Wilson, 2000). However, this action unleashed a Buddhist culture and Sinhala language revival. In effect, Sinhalese nationalism was aroused by the Buddhist clergy who gained more political influence (Bose, 1994). It is not clear whether the Oxford-educated Bandaranaike fully realized that his strategy to gain power would awaken racial tensions between Sinhalese and Tamils.⁵

⁵ Bandaranaike attempted to redress the injustices his Sinhala-Only Act had caused the Tamil people and other minorities. However, despite his good will, his efforts were in vain. He was assassinated in 1959 by a Buddhist monk holding extreme nationalistic views (“Bandaranaike, S.W.R. D. In Encyclopaedia Britannica,” 2007; Rajasingham, 2007; Zeylanicus, 1970).

1.3 The Official Language Act Analyzed

The implementation of *The Official Language Act* by the Sinhalese SLFP party's agenda had three main effects: (1) the SLFP won the 1956 elections by appealing to the mass majority of Sinhalese people; (2) it ensured the party would remain in power; and, (3) it demanded a proficiency in the Sinhala language in the civil service in order to equalize economic opportunities among a majority of disfavored Sinhalese people. The enactment of the Sinhala-Only legislation immediately provoked a wave of protest among minorities. This was particularly true among the Tamil population which felt that the Act restricted their own language rights (Wilson, 2000). Furthermore, the Act impeded Tamil civil servants from obtaining salary increments and promotions unless they were fluent in Sinhala (Kearney, 1978; Rupesinghe, 2006; Van Dyke, 1976). The Tamil people reacted by organizing peaceful protests which the state considered unacceptable. Anti-Tamil violence, arguably condoned by the government, erupted as a result (Nissan, 1998).

By imposing Sinhala and making it the only official language of Sri Lanka, the government directly attacked the identity of Tamil-speaking individuals. In addition, the Act came after a series of measures, such as the earlier disenfranchisement of the Indian-Tamils and the continuous state-sponsoring of Sinhalese colonization of Tamil areas.⁶ Justified or not, the Tamil people saw these acts as tactics designed by the government to annihilate their cultural identity, attack their

⁶ Shortly after independence, Sinhalese people migrated from the Deep South to settle in the Tamil-dominated Eastern province under the auspices of state-sponsored programs, such as irrigation projects. However, since it is alleged that some of these projects never benefited the Tamil people who lived in these areas, Tamil opinion is that the programs were part of a Sinhalese strategy to destabilize the demographic and economic predominance of Tamils in the Eastern province and the non-peninsular areas of the North (Bose, 1994; Manogaran, 1996; Tharmalingam, 2007).

dignity, and deny their recognition as one of Sri Lanka's founding nations (Rupesinghe, 2006). To the Tamil people, the *Official Language Act* was unacceptable, discriminatory, and oppressive because it placed their language in an inferior position, forced them to learn Sinhala, and made it much more difficult for them to obtain government employment ("Indictment Against Sri Lanka," 2007).

Peaceful protests against the Act staged by Tamils soon turned into anti-Tamil violence as Sinhalese mobs manhandled protesters while the police looked on (Thavarajah, 2007). The tension between the Tamils and the Sinhalese escalated, and, in 1958, a series of anti-Tamil riots erupted in Colombo ("Ceylon Placed Under Curfew After 18 Slain," 1958). During these events, Tamil people were attacked by angry mobs in buses, trains, and on the streets. In addition, Tamil shops were attacked and looted (Thavarajah, 2007; Zeylanicus, 1970). The city riots, which lasted approximately ten days, led to the death of more than 150 people, most of whom were Tamils ("BBC News: Timeline Sri Lanka," 2007; Thavarajah, 2007).

The direct consequences of the Act, such as language discrimination, and to the level of anti-Tamil violence it engendered, contributed to the ethnic divide between the Sinhalese and Tamils (Thavarajah, 2007). In effect, the passing of the *Official Language Act* was considered by the Tamil leadership as a socially injurious act (Wilson, 2000). The direct and indirect consequences of the Act were catastrophic for Sri Lanka as it eventually contributed to a civil war.

It is also interesting to observe the government's response to the crimes committed against the Tamil people during some of the Tamil's peaceful protests. Tamil leaders resorted to the principle of *satyagraha* or non-violent civil disobedience, as practiced by Gandhi, during peaceful protests to show their discontentment with the

Official Language Act (Wilson, 2000). However, the government chose not to use the criminal justice system to respond to the acts of violence perpetrated by Sinhalese mobs against the Tamil people.

The peaceful protest of June 6, 1956 at Colombo's Galle Face Green⁷ is an example of the state's condoning anti-Tamil violence as it deliberately neglected to keep the peace and failed to take punitive actions against the Sinhalese assailants (Wilson, 2000).⁸ These deliberate omissions/failures contributed to anti-Tamil sentiments and to the escalating violence in the following years ("BBC News: Timeline Sri Lanka," 2007). Had the state taken decisive actions against the Sinhalese mob, further violence, such as the anti-Tamil pogrom of 1958, might have been averted.

As mentioned, the passing of the *Official Language Act* may have been a real-politic decision by Bandaranaike to ensure that he became Prime Minister and to ensure that his party won victory in the 1956 elections. Although this hypothesis cannot be definitively tested, Bandaranaike did later work out a compromise known as the Bandaranaike-Chelvanayagam Pact or BC Pact of 1957 with Tamil leaders. The pact was meant to provide for a wide-ranging decentralization of administration and devolution of powers to Tamil areas of the northern and eastern provinces. This included the recognition of Tamil as the official language in those areas (Bose, 1994). However, the accord collapsed when, under pressure from the Sinhalese Buddhist clergy, Bandaranaike had to break his word and abrogated it (Bose, 1994; PBS.org, 2006). It may never be known whether Bandaranaike had any intention of canceling the agreement from the

⁷ Galle Face Green is a promenade in the heart of the financial district of Colombo. The promenade stretches for one-half kilometer along the coast (Galle Face Green, 2007).

⁸ It is alleged that President S.W.R.D. Bandaranaike issued directives to Deputy Inspector General of Police, C.C. Dissanayake, to refrain from taking punitive actions against the Sinhalese mob. But in Parliament, Bandaranaike complained in the officer's presence that his subordinates had failed to maintain law and order (D. Jeyaraj, 2007; Wilson, 2000).

beginning or if he simply became a victim of the forces he unleashed and exploited, i.e. Sinhalese Buddhist patriotism. Regardless, the result was undue hardship for the Tamils.

1.4 The Emergence of the Liberation Tigers of Tamil Eelam

Much has been written about the LTTE and its impact on Sri Lankan politics. Consequently, this section will only provide a cursory introduction to LTTE's origins and its claim to represent all the Tamil people of Sri Lanka (Subes, 2002). The 1970s saw an increase in poverty and unemployment throughout the country. In 1970, plans by the Sri Lankan government to limit the access of Tamil students to university fostered the birth of a Tamil militant student body named "The Tamil Students Movement" (South Asia Terrorism Portal, 2001a). When a new constitution was proclaimed in 1972 and the country was re-named Sri Lanka, the Tamil Students Movement splintered into two new militarized entities called the Tamil New Tigers (TNT) and the Tamil Eelam Liberation Organization (TELO) ("Former Prime Ministers of Sri Lanka," 2005; South Asia Terrorism Portal, 2001a). In 1972, the government introduced two regulations that further contributed to the deterioration of the relationship between the Sinhalese and the Tamils. One of these regulations formally established two different systems of standardization of grades for admission to university. In effect, Tamil students were required to achieve higher aggregate scores than Sinhalese students on entrance examinations to be accepted to the country's universities (De Votta, 2007; "Sri Lanka-Post Colonial History," 2007). The protection and the fostering of Buddhism, which the state placed ahead of all of Sri Lanka's religions, was the second regulation that contributed to a new phase of communal antagonism on the island (De Silva, 2005).

Feeling like second-class citizens, the Tamil community, which included the Federal Party (FP), the Tamil Congress, and other Tamil organizations, reacted

collectively against the new constitution. As a result of their union, a new political party was created in 1972, which called itself the Tamil United Front (TUF) ("Sri Lanka-Post Colonial History," 2007; Wilson, 2000). At around the same time, the party, which was later renamed the Tamil United Liberation Front, raised its demand for a separate Tamil state in the north and in the east of Sri Lanka called "Tamil Eelam" (Perera, 1999). Tamil youth, who were members of the TNT, started to dominate Tamil politics and opted for a more militant approach. Their stance was inflamed in January 1974 when, during a key event in Jaffna called the World Tamil Research Conference, a peaceful Tamil crowd spilled onto the street and was attacked by the police who considered the gathering an unlawful assembly. The assault led to nine demonstrators being killed and dozens injured (Matthews, 1986).

The attack also astounded the population which, until then, never feared the authorities (Matthews, 1986). As a result of this incident and other discriminatory acts perpetrated against the Tamil people by the government, tensions developed between Tamil leaders who wanted a separate nation and those who did not. This led to a series of political assassinations against those Tamil leaders who did not favor separation and preferred non-violent means of solving their ethnicity issues with the Sinhalese (Herath, 2002). The first criminal act committed by the youth militant group TNT was the assassination in 1975 of the mayor of Jaffna, Alfred Duraiyappah, who they perceived to be a Sinhalese collaborator (Berthier, 2006; Matthews, 1986).⁹

By 1976, the TNT had become the Liberation Tigers of Tamil Eelam and with its new name, a new era of radicalism was born (Matthews, 1986). In order to fund and further develop his armed group, LTTE leader Prabhakaran and his associates resorted to

⁹ This assassination was plotted by four TNT youth, three of whom were later captured by the police. Legend claims that a fourth member, Velupillai Prabhakaran, got away. He later became the leader of the LTTE (Berthier, 2006; Wilson, 2000).

robbing banks (Kaihlal, 1996; Sabaratnam, 2003b). In 1979, the government introduced a new draconian law, the *Prevention of Terrorism Act*. This law allowed the Sri Lankan security forces to arrest, imprison, and leave incommunicado for 18 months anyone suspected of having committed an unlawful act (De Votta, 2000).¹⁰ The Act, which was retroactive, led to many human rights abuses against young Tamils which fueled their sense of alienation towards the government (De Votta, 2000). In 1983, the government introduced the sixth amendment to the Constitution prohibiting anyone who advocated separatism from sitting in Parliament (Matthews, 1986). This measure was a blow to moderate Tamil leaders who were forced to resign their seats. The departure of all 14 members of the TULF left Ceylon Tamils of the north leaderless and enabled the LTTE to take political control (Matthews, 1986).

1.5 Mass Exodus: Canada Welcomes Tamils

As mentioned above, many political events of the late 1970s and early 1980s exacerbated the sense of alienation of the Tamil people from the Sri Lankan government. One notable act that further fueled Tamil distrust towards the Sri Lankan authorities was the 1981 burning of the Tamil public library in Jaffna, alleged to have been perpetrated by pro-government forces (De Votta, 1998). In the Jaffna library fire, an estimated 90,000 rare Tamil volumes and manuscripts were destroyed (Herath, 2002). On the night of July 23, 1983, an island-wide outbreak of racial violence erupted after an LTTE garrison ambushed a Sinhalese army patrol near Jaffna. This ambush resulted in the death of 13 soldiers (Matthews, 1986; Senewiratne, 2006). Although the Armed Forces

¹⁰ An “unlawful activity” as per the *Prevention of Terrorism Act* meant any action taken or act committed by any means whatsoever, whether within or outside Sri Lanka, in the commission or in connection with the commission of any offences under the Act (South Asia Terrorism Portal, 2001b).

retaliated, communal riots against Tamils living in the south erupted ("Looters shot dead as rampage erupt in Sri Lanka city," 1983). The riots were alleged to have killed more than 4,000 Tamils and caused many more to seek asylum overseas (De Votta, 1998; Herath, 2002; Senewiratne, 2006). Against this background of violence, most TULF leaders fled Sri Lanka, leaving their people without any democratic leadership and at the mercy of the LTTE (Matthews, 1986).

Although the mass exodus of Tamil people began as a result of the anti-Tamil pogrom of 1983, the forced migration of Tamils is believed to date back to the late 1950s, when deteriorating relations with the Sinhalese people resulted in smaller-scale communal riots ("Ceylon Placed Under Curfew After 18 Slain," 1958; Sriskandarajah, 2004). Coincidentally, Tamil immigration to Canada is believed to have started around the same period with predominantly English-educated Tamils coming from India's upper-middle and middle classes (Vaitheespara, 2007). In the early 1960s, the number of Tamil immigrants living in Canada from the Indian state of Tamil Nadu and from Sri Lanka (Ceylon) was estimated to be less than a few hundred individuals ("Immigration Statistics," 1966; Vaitheespara, 2007). By the late 1960s, the number of ethnic Tamils gradually increased after the introduction of Canada's point system for skilled workers and with the sponsorship allowance of family members ("Historical highlights," 2006; Vaitheespara, 2007). However, the number of Tamils from Sri Lanka remained relatively low until the early 1980s with a population of approximately 3,000 individuals ("Immigration Statistics," 1973; Ponnambalam, 1983; Vaitheespara, 2007).

Following the 1983 anti-Tamil pogrom, Canada changed its immigration policy and allowed Tamil ethnics to seek refuge under humanitarian and compassionate grounds (Sriskandarajah, 2004). From this moment, a steady flow of newcomers resulted in the

number of Tamils living in Canada to increase exponentially ("Canada's ethnocultural portrait: The changing mosaic," 2001; Foster, 2007). Although the number of Sri Lankan Tamils varies substantially from one official source to another, their total in Canada is estimated to be over 200,000 individuals (Foster, 2007; "Sri Lankan Tamil Migration," 2007; Statistics Canada, 2007).¹¹

It is important to note that the change in Canada's admission policy towards the Sri Lankan Tamils enabled a wider cross-section of immigrants resulting in newcomers being generally less anglicized and more infused with a sense of Tamil nationalism than their predecessors (Foster, 2007; Vaitheespara, 2007). Although there is nothing wrong with Tamil people having strong nationalist sentiments, especially after the turmoil many experienced while living in Sri Lanka, the ease of getting welfare and obtaining refugee status in the 1990s may have enticed many patriotic LTTE proponents to sneak in among the growing Canadian Tamil community (Cartier, Balfour, Bontempo, & Bontempo, 1998; Proctor, 1997; Watson & Brazao, 1991).

1.6 Canada: A New Source of Fund Raising for the LTTE

As early as 1991, police detectives in the Toronto area were concerned that elements of the LTTE had entered Canada as refugee claimants and had blended among the general Tamil population (Watson & Brazao, 1991). These LTTE operatives were believed to be involved in criminal activities, such as the selling of falsified passports, trafficking in narcotics, and extorting Tamil nationals. All of these acts were allegedly

¹¹ Statistics Canada 2006 Census recorded 122,020 Tamil-speaking individuals living in Canada. However, their actual number is believed to be higher as many Tamils speak neither of the official languages and thus may not have participated in the Census.

aimed at raising funds for the war in Sri Lanka (Oziewicz, 1998; "R. v. Satkunananthan," 2001; "Suresh v. Canada," 1998; Watson & Brazao, 1991).

However, it was not long before Canada's security and law enforcement agencies realized that the continuing activities of the LTTE could place the country in a precarious position vis-à-vis other nations, such as the United States, who might consider Canada a haven for terrorist fundraising (Berlau, 2002; "Canada could be aiding terrorism, CSIS warns," 2000; Canadian Security Intelligence Service, 1998). As a result of local and international pressures, Canada listed the LTTE as a terrorist entity on April 8, 2006 (Public Safety Canada, 2006).

1.7 Nationalism and its Nexus to Terrorism

Nationalism is a modern concept developed in the 18th century that can be described as an individual's loyalty or devotion to a nation-state which surpasses other individual or group interests (Nationalism, 2009). In other words, nationalism is a sentiment that arises from a person's personal attachment to their native soil, language, culture, traditions, values, and beliefs (Nationalism, 2009). Feelings of nationalism can also be reinforced through man-made trauma, such as the collective memory of an act that once affected the person's ancestors (Lefebvre, 2003). To illustrate this in the context of the Sri Lankan Tamils, it could be argued that the *Official Language Act* of 1956 was considered by many Tamils as a direct attack on their nationhood (Byman, 1998).

Nationalism can also manifest itself in any activity that upholds the maintaining of identity, unity, and autonomy of a nation (Pamir, 1997). For example, as mentioned above, the peaceful demonstration "Satyagraha" of Tamils against the passing of the discriminatory *Official Language Act*, could, under this definition, be considered an act

of nationalism. When prejudice crosses political or cultural lines, it can cause immense outrage among the persecuted and lead a portion of that population to engage in ethno-nationalist terrorism (Byman, 1998). Ethno-nationalist terrorism can be defined as intentional violence carried out by the dissident segment to further its cause (Byman, 1998). To achieve success, the segment will depend on the assistance of organizations or countrymen who support their cause (Lefebvre, 2003). However, a struggle for authority within the same ethnic group will often lead to the elimination of internal dissent (Lefebvre, 2003). An example that illustrates this is the branding of people as traitors and the subsequent killing by the LTTE of many Tamils who considered engaging in negotiations with the Sinhalese government (Byman, 1998). Most importantly, ethno-nationalist terrorists attempt to achieve communal identity through terrorist activities which have two critical outcomes. First, terrorism creates common bonds among members and supporters as a result of government retribution. Second, the oppression that ensues brings recognition to the terrorists' cause among the larger population, thus potentially increasing membership and financial support (Byman, 1998). For example, through their violence against the Sinhalese regime, LTTE militants have given intellectuals and Tamils in general a greater sense of respectability and national identity, thus reducing their perceived subordination to the Sinhalese government (Byman, 1998). Alas, oppression by the state and the retaliating violence created by the LTTE lead all sides to view each other as enemies (Byman, 1998). In Chapter Four, the link between nationalism and terrorism will be further explored and analyzed through data collected for the survey.

1.8 Chapter Summary

History has played an important role in bringing together the various elements that contributed to the inception and development of Tamil nationalism and the rise of the LTTE. The process began with the failure of the British colonial administration to recognize that historic hostilities between Tamils and Sinhalese could be revived if a parliamentary balance was not struck by the time Ceylon became independent.

With the ascension of S.W.R.D. Bandaranaike to power in 1956, and the subsequent passage of the *Official Language Act*, Sri Lanka entered into an era of racial tension and turmoil that it still has not recovered from. From that turmoil, the LTTE emerged and was able to grow into a powerful political force. As the civil war escalated and hundreds of thousands of Tamils fled to Canada, the LTTE sought an opportunity to infiltrate the Canadian Tamil Diaspora and use its nationals to further fund the war at home.

The terror attacks of 9/11 imposed increased pressure on Canada to meet its international obligations to combat terrorism and its financing. As a result, the LTTE became a center of attention of Canada's national security and policing agencies. In the next chapter, an explanation of the term *terrorist financing* and its relationship to money laundering techniques will be examined. Canada's international commitments towards the suppression of terrorist financing in general will also be analyzed. In addition, Canada's first terrorist financing case involving LTTE operations in Montreal and Toronto will be discussed.

Chapter Two: Terrorist Financing: A Methodical Approach

2.0 Money Laundering and Terrorist Financing

Although much has been written about terror financing, the concept is not always understood. There appears to be a degree of confusion between terrorist financing¹² and money laundering, albeit these terms often appear together. However, it is important to remember that disguising the destination of terrorist financing, whether the funds originate from a legitimate source or not, is paramount (Schmidt, 2009). Before reviewing Canada's terrorist financing laws, a brief explanation of the terms money laundering and terrorist financing will be provided and a link between the two terms will be emphasized.

Money laundering and terrorist financing often have similar features, mostly having to do with concealment and disguise (Schott, 2004). One definition of money laundering, adopted by Canada and many other countries, is found on the Financial Action Task Force (FATF)'s website (Schott, 2004).¹³ Because the goal of many criminal acts is to generate profits for the individuals or groups that commit them, people involved in those crimes want to distance themselves as much as possible from the origin of their ill-gotten gains to avoid prosecutions and/or seizure (Schott, 2004). Money laundering is,

¹² Please note that some authors also use the term "terrorism financing". However, for the purpose of this major paper, the term "terrorist financing" will be used as referred to by the Integrated Threat Assessment Centre of Canada (ITAC).

¹³ The Financial Action Task Force (FATF) is an inter-governmental body whose purpose is the development and promotion of national and international policies to combat money laundering and terrorist financing. The FATF is, therefore, a "policy-making body" created in 1989 to generate the necessary political will to bring about legislative and regulatory reforms in these areas. The FATF has published 40 recommendations that deal with money laundering and, in addition, promulgated nine recommendations that specifically address the financing of terrorism. The FATF, to which Canada is a member, is currently made up of 32 countries and territories, along with two regional organizations.

Ref: <http://www.fatf-gafi.org>

the processes used by these individuals or groups to disassociate themselves from the illegal origins of those proceeds (FATF, 2007). Given this, it is necessary for offenders to: (1) erase the link between the crime and the profits; (2) erase the link between the profits and its new owner; and (3) protect the profits from possible confiscation (Thony, 2000). As a result, money laundering is divided into three stages; (1) Placement; (2) Layering; and (3) Integration. The “Placement” phase involves the introduction of the launderer’s illegal profits into the financial system (FATF, 2007). This can be accomplished by either breaking up large amounts of money into smaller sums that are deposited into a bank account or by purchasing a series of monetary instruments, such as cheques, money orders, or investment securities in bearers form, that are collected and deposited into several accounts at various locations (FATF, 2007). The next phase, “Layering”, requires the launderer to convert or move the funds, often blending them with legally produced funds, to obfuscate their source (Schmidt, 2009). For example, the funds may be channeled through the purchase and sales of investments, such as precious metals, or securities (FATF, 2007). Alternatively, the launderer might simply wire the funds through a series of accounts at various banks located around the world. Finally, in the third phase, “Integration”, the launderer will re-introduce the funds into the legitimate economy after having processed the criminal profits through the first two stages. In this phase, the launderer uses the funds to, for example, purchase luxury assets, invest into business ventures, or purchase real estate (FATF, 2007).

By way of contrast, terrorist financing is concerned with the funding of activities, such as the recruitment of terrorists, the establishment and maintenance of training camps, the housing of terrorists, the purchase of conventional or unconventional weapons, the purchase of food and miscellaneous equipment, or the acquisition of

explosives (Ehrenfeld, 2005). In other words, it is the use of funds for all aspects of engaging in terrorism. Of note, funds used for the financing of terrorism can be of legitimate or illicit origin. This is one of the ways that it differs from money laundering (Gardner, 2007; Schott, 2004). Because of this critical difference, money laundering models are not sufficient for understanding the terrorist financing process. For terrorism, a model encompassing five stages was conceived and developed by terrorist financing expert John Schmidt.¹⁴ Schmidt's model is referred as the Terrorist Financing/Resourcing model¹⁵ and its five stages are: (1) Acquisition; (2) Aggregation; (3) Transmission to the Terrorist Organization; (4) Transmission to the Operational Cell; and (5) Conversion (Schmidt, 2008a).

The "Acquisition" stage consists of the initial movement of funds and/or goods into the terrorist financing process (Schmidt, 2008a). These can be from legitimate or illegal sources. For example, in this phase, donations to legitimate or assumed charities, contributions by government agencies to terrorist organizations or their proxies,¹⁶ drug trafficking, human smuggling, or extortion from expatriates may take place (Schmidt, 2008b). Furthermore, the "Acquisition" stage can involve the receipt or theft of goods meant to be exchanged for funds or other goods, including end-use goods, such as weapons, explosives, or food (Schmidt, 2008b). The second stage, the "Aggregation", consists of the pooling of smaller funds or goods into larger ones. This stage normally

¹⁴ John Schmidt is a Senior Financial Intelligence Analyst with FINTRAC. At the time of this writing, Mr. Schmidt was seconded to the Integrated Threat Assessment Centre (ITAC), a Government of Canada agency tasked with the completion of threat assessments of terrorist threats to Canada and Canadian interests. Mr. Schmidt has lectured on terrorist financing/resourcing in Canada and abroad.

¹⁵ As per John Schmidt's model, the term "terrorist resourcing" is more accurate than the term "terrorist financing". The objective of terrorist resourcing, which incorporates financing, is to provide end-use resources to terrorists and their supporters. Since money need not to be involved and is considered only one of a number of channels for moving exchangeable value, the term "terrorist resourcing" is preferred (Schmidt, 2008b).

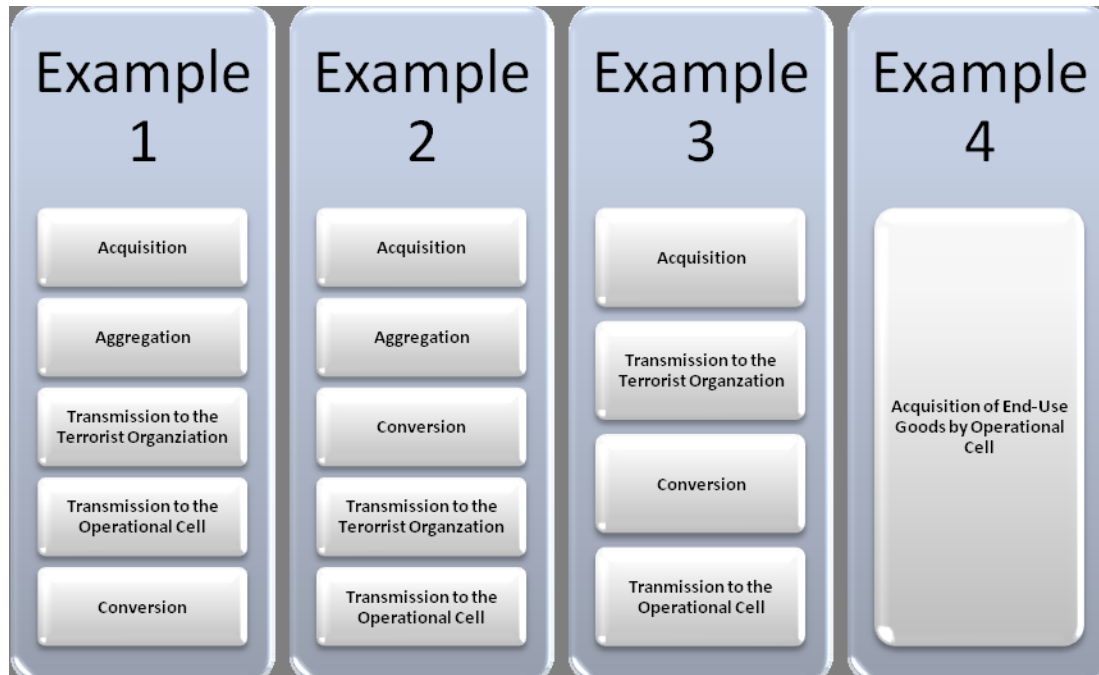
¹⁶ The author is aware of cases where individuals, whose links to terrorist organizations were initially unbeknownst to the government, applied for and received government business funding.

follows the “Acquisition”, although the Terrorist Resourcing model allows for stages to be bypassed if it suits the needs of the terrorist organization (Schmidt, 2008b). An example of “Aggregation” would be the transactions of money obtained from fundraising events held in different cities by the terrorist organization, which money would be funneled into one or several bank accounts located locally and/or overseas. In the third stage, the “Transmission to the Terrorist Organization”, the aggregated funds or goods are moved into the full control of the central terrorist group or to someone acting on its behalf (Schmidt, 2008b). This can be accomplished through a variety of unsophisticated to very sophisticated steps. For instance, cash couriers, wire transfers, or Hawalas¹⁷ can be used to bring funds or goods into the control of the terrorist organization. As in the previous stage, this step can also be bypassed (Schmidt, 2008b). The fourth stage, the “Transmission to the Operational Cell”, involves the allocation and delivery of funds or goods to the people who will ultimately use them to carry out organizational goals (Schmidt, 2008a). This stage may use the same transmission mechanism as in the previous phase, although funds channeled may be in smaller amounts and goods would be generally employed as end-use goods (Schmidt, 2008a). In the fifth stage, “Conversion”, the funds or goods are exchanged into services and end-use goods to support terrorist or related activities, including shelter, food, travel, recruitment, weapons, and training (Schmidt, 2008a). Figure 2 represents the five stages of the Terrorist Resourcing model and illustrates the various possibilities associated with the process. As noted, the path to the operational cell or end-use goods can vary according to specific need. The many variations provided by the Terrorist Resourcing model are one aspect

¹⁷ Hawala is a term that refers to an informal value transfer system whereby people can transfer money from one country to another without going through formal financial channels (Sharma, 2006).

that clearly sets it apart from the money laundering matrix where the three stages, generally speaking, must be followed in a particular order.¹⁸

Figure 2: Some Variations in the Terrorist Resourcing Model¹⁹



As a note, Example 4 demonstrates that end-use goods or services can be acquired directly by those who will use them (see Figure 2). This could take the form of a theft of motor vehicle that would be used in a suicide bombing attack or, alternatively, it could be the provision of food, shelter, and other goods by local villagers to a terrorist cell (Schmidt, 2008a, 2009). In conclusion, although there are similarities between money laundering and terrorist financing, the latter is not a mere extension of the former. The Terrorist Resourcing model created by John Schmidt provides a better understanding of the intricacies and differences between the two.

¹⁸ In situations where funds have been obtained from fraudulent activities and are already in the financial system, the placement stage may be bypassed (Schmidt, 2009).

¹⁹ Terrorism Resourcing diagram adapted with permission of John Schmidt.

2.1 Canada's Terrorist Financing Laws

Canada's adoption of terrorist financing laws, including all of its anti-terrorism legislation, had much to do with its international obligations resulting from UN Treaties (Department of Justice Canada, 2007). For example, the endorsement of terrorist financing laws has its roots in the 1999 United Nations' International Convention for the Suppression of Terrorist Financing (Department of Justice Canada, 2007). However, up until the events of 9/11, Canada had still not ratified that Convention, but was a signatory. On September 28, 2001, the UN Security Council passed Resolution 1373 which required all UN Member states to implement measures to prevent and suppress terrorist acts, including the financing of terrorism (United Nations, 2001). Then, in October 2001, the FATF adopted eight Special Recommendations,²⁰ one of which urged member states to immediately ratify both the 1999 United Nations International Convention for the Suppression of the Financing of Terrorism and the United Nations Resolution 1373 (Department of Justice Canada, 2007; FINTRAC, 2007; United Nations, 2001). Being a member of the United Nations and the FATF, Canada complied by passing Bill C-36, *The Anti-Terrorism Act*, which came into effect on December 18, 2001 (Hubbard, Murphy, ODonell, & DeFreitas, 2004).

The terrorist financing offences introduced by this Act are found under Part II.1 of the *Criminal Code*, and consist of: Sections 83.02; 83.03; and 83.04. These sections, which may be considered broad in terms of the types of conduct they cover, address

²⁰ The FATF, having recognized the primary importance of taking action to combat the financing of terrorism, adopted eight Special Recommendations that specifically addressed the financing of terrorism. These Recommendations (nine Recommendations as of 2004), when combined with the FATF 40 Recommendations on money laundering, set out the basic framework to detect, prevent, and suppress the financing of terrorism and terrorist acts (FINTRAC, 2007). See also the FATF 40 Recommendations on money laundering <http://www.fatf-gafi.org/dataoecd/42/43/33628117.PDF>

primarily the providing, collecting, using, and making available of funds or property to carry out a terrorist activity²¹ or to benefit a terrorist group.²²

2.1.1: Section 83.02 Criminal Code: Providing or Collecting Property

Section 83.02 C.C reads as follows:

83.02 Every one who, directly or indirectly, willfully and without lawful justification or excuse, provides or collects property intending that it be used or knowing that it will be used, in whole or in part, in order to carry out

(a) an act or omission that constitutes an offence referred to in subparagraphs (a)(i) to (ix) of the definition of “terrorist activity” in subsection 83.01(1), or

(b) any other act or omission intended to cause death or serious bodily harm to a civilian or to any other person not taking an active part in the hostilities in a situation of armed conflict, if the purpose of that act or omission, by its nature or context, is to intimidate the public, or to compel a government or an international organization to do or refrain from doing any act,

is guilty of an indictable offence and is liable to imprisonment for a term of not more than 10 years (Pocket Criminal Code, 2008).

This section suggests that everyone who knowingly provides or collects property for a terrorist group or for the commission of a terrorist act in Canada or abroad, by virtue of Section 7(3.73)²³ of the *Criminal Code*, commits an offence with a maximum sentence of 10 years in prison (Hubbard et al., 2004; "Proceedings of the Special Senate Committee on the Subject Matter of Bill C-36," 2001). Although this section addresses the financing

²¹ The Criminal Code definition of terrorist activity is quite extensive. There are two components to the definition. The first one encompasses offences under the ten United Nations anti-terrorism conventions and protocols (i.e. the Convention for the Suppression of Unlawful Seizure of Aircraft). All the conventions and protocols are enumerated on the FATF website at http://www.fatf-gafi.org/pages/0,2987,en_32250379_32235720_1_1_1_1_1.00.html.

The second component of the definition includes activities committed for political, religious, or ideological purposes that intentionally intimidate the public or compel a government to do or to refrain from doing any act, and are intended to kill, seriously harm, or endanger people, substantially damage property, or disrupt essential services. It should be noted that lawful protests, dissent, and work stoppages are protected rights under this section (Department of Justice Canada, 2007; Liu, 2006; Unkovic, 2006).

²² A terrorist group means an entity that has as one of its purposes or activities the facilitating or carrying out a terrorist activity or is a listed entity (Pocket Criminal Code, 2008).

²³ The effect of Section 7(3.73) of the Criminal Code is to permit prosecution for offences committed under Section 83.02 of the Criminal Code, even if the acts that constitute the basis for the offence are committed outside of Canada. However, it should be mentioned that for the extraterritorial jurisdiction to apply, there has to be a nexus with Canada (Hubbard et al., 2004). In the example of the GPS and the night vision goggles, which this author provides here, if a Canadian citizen met with a Hezbollah representative on a plane bound for Beirut and provided him with the property, Section 7(3.73) of the Criminal Code would apply against the Canadian citizen and/or the Hezbollah representative.

of terrorism, the definition of the term property is broad enough to include money and other real and personal property (Pocket Criminal Code, 2008).²⁴ It is interesting to note that the language of Section 83.02 (i.e. providing property) could also initiate criminal liability under other parts of the Act, such as participating in, facilitating, and instructing a terrorist activity (K. Davis, 2001).²⁵ An example of an offence under Section 83.02 would include someone purchasing night vision goggles and a GPS receiver and sending them to Hezbollah—a designated terrorist entity under Section 83.05 of the *Criminal Code*. (Public Safety Canada, 2007; Thompson & Turlej, 2003).

2.1.2: Section 83.03 Criminal Code: Providing, Making Available Property or Services

Section 83.03 of the *Criminal Code* is concerned with “Providing, Making Available, Etc., Property or Services for Terrorist Purposes”. The section states:

83.03 Every one who, directly or indirectly, collects property, provides or invites a person to provide, or makes available property or financial or other related services

(a) intending that they be used, or knowing that they will be used, in whole or in part, for the purpose of facilitating or carrying out any terrorist activity, or for the purpose of benefiting any person who is facilitating or carrying out such an activity, or

(b) knowing that, in whole or part, they will be used by or will benefit a terrorist group,

is guilty of an indictable offence and is liable to imprisonment for a term of not more than 10 years (Pocket Criminal Code, 2008).

²⁴ As per Section 2 of the Criminal Code, the definition of “property” includes: (a) real and personal property of every description and deeds and instruments relating to or evidencing the title or right to property, or giving a right to recover or receive money or goods; (b) property originally in the possession or under the control of any person, and any property into or for which it has been converted or exchanged and anything acquired at any time by the conversion or exchange; and (c) any postal card, postage stamp, or other stamp issued or prepared for issue under the authority of Parliament or the legislature of a province for the payment to the Crown or a corporate body of any fee, rate or duty, whether or not it is in the possession of the Crown or of any person (Pocket Criminal Code, 2008).

²⁵ It is beyond the scope of this major paper to examine every prosecuting offence under the Anti-Terrorism Act. However, the reader should be aware that the legislative language in some of the non-terrorist financing provisions (i.e. Participating, Sec 83.18; Instructing, Sec. 83.22) overlaps and is broad enough to capture many forms of financing of terrorism (K. Davis, 2001; Pocket Criminal Code, 2008).

There appears to be a large degree of overlap between the activities listed in Section 83.02 and those in this section (Hubbard et al., 2004). However, what distinguishes the two sections is that Section 83.02 is more specific in terms of the terrorist activities it comprises: Section 83.03 embraces a more extensive application (Hubbard et al., 2004). For example, Section 83.03 criminalizes the provision of “financial” or other related services, intending or knowing that they would be used to facilitate or carry out a terrorist activity (Roach, 2002). Furthermore, this section makes it a crime for anyone to benefit from the facilitation or the carrying out of a terrorist activity and applies to those individuals who know that property or a financial service “will be used or will benefit a terrorist group”(Pocket Criminal Code, 2008; Roach, 2002).

Similar to Section 83.02, this section also has an extraterritorial jurisdictional reach by virtue of Section 7(3.74) C.C., which permits individuals who are Canadian citizens or residents of Canada to be charged with offences taking place outside of Canada (Hubbard et al., 2004; Pocket Criminal Code, 2008). Examples of offences under this section would include someone fundraising for the LTTE or someone wiring funds to a bank in Pakistan knowing that the funds were intended for Al Qaeda (Thompson & Turlej, 2003). Another example would be someone directly or indirectly renting a house or inviting a person to rent a house knowing that the property will be used by, or will benefit, a terrorist group (Roach, 2002).

2.1.3: Section 83.04 Criminal Code: Using or Possessing Property for Terrorist Purposes

Section 83.04 makes it an offence to use property for the purpose of carrying out a terrorist activity or possessing property intending or knowing that it will be used for such a purpose (Roach, 2002). To this extent, the section states:

83.04 Every one who

(a) uses property, directly or indirectly, in whole or in part, for the purpose of facilitating or carrying out a terrorist activity, or

(b) possesses property intending that it be used or knowing that it will be used, directly or indirectly, in whole or in part, for the purpose of facilitating or carrying out a terrorist activity,

is guilty of an indictable offence and is liable to imprisonment for a term of not more than 10 years (Pocket Criminal Code, 2008).

This section is designed to criminalize the use of property that aids terrorism (Hubbard et al., 2004). However, this section is somewhat ambiguous as it encompasses a wide range of acts (K. Davis, 2001; Hubbard et al., 2004). For instance, the prosecution is not required to demonstrate that an accused has committed any overt act in order to give effect to the illicit intention (K. Davis, 2001). In other words, the Crown would only need to establish that an accused had retained possession of the property as opposed to providing it, collecting it, or using it (K. Davis, 2001). Therefore, under this section, an accused would be committing an offence even if he possessed the property before forming the prohibited intention. Similar to Section 83.03, this provision includes extraterritorial jurisdictional provisions under Section 7(3.74) C.C. An example of an offence that would come under Section 83.04 might be individuals holding Molotov cocktails in their backpacks for someone else to throw at the police during a protest organized by a terrorist group or a listed entity (Thompson & Turlej, 2003).

In summary, the *Anti-Terrorism Act* portion of the *Criminal Code* encompasses Sections 83.02, 83.03, and 83.04, which provide a wide-range of measures that address offences related to providing, collecting, using, and making available funds or property to carry out terrorist activities or to benefit terrorist groups. One of the organizations long suspected of using Canada as a location and source of terror fundraising has been the LTTE. This organization is the focus of the next section.

2.2 The Role and Structure of the LTTE in Canada

It is estimated that Canada is home to the largest Tamil Diaspora in the world (Becker, 2004). Given this, the LTTE has relied heavily on this population to raise money. These funds have enabled the LTTE to purchase weapons, diversify its organizational structure, and extend its campaign against the government of Sri Lanka (Jane's Intelligence Review, 2007; Romanick, 2006).

In order to combat the Sri Lankan Armed Forces, the LTTE developed a well-organized, two-tier structure, similar to many professional armies (Chalk, 1999). For example, the LTTE created divisions, such as the Sea Tigers, the Air Tigers, the Black Tigers, a specialized intelligence unit, the Charles Anthony Regiment which is an elite fighting armed forces, and a political wing named the Peace Secretariat of the LTTE.²⁶ This organizational structure made the LTTE one of the most sophisticated insurgencies in the world (Chalk, 1999; Fair, 2004; Romanick, 2006; The Mackenzie Institute, 2000). In 2007, it was estimated that the LTTE's worldwide fundraising activities generated between USD \$200 to \$300 million per year (Jane's Intelligence Review, 2007). In Canada, the LTTE is believed to be behind many operations that include legitimate businesses funded with LTTE money (Jayasekara, 2007). According to the Canadian Security Intelligence Service (CSIS), in 2006, these businesses provided at least \$2 million a year (Romanick, 2006).

²⁶ The Sea Tigers are the naval wing of the LTTE. This naval firepower mainly consists of lightweight boats. The Air Tigers are its airborne group. This airborne regiment consists of several lightweight aircrafts and is known to be the world's first air force controlled by an organization proscribed as terrorist. The Black Tigers are the suicide commando unit. The Black Tigers, which include women, are responsible for large-scale bomb attacks and the assassination of many political leaders (Athas, 2006; Chalk, 1999; Jane's Intelligence Review, 2007).

For example, the World Tamil Movement (WTM), raided by the RCMP in April 2006, is believed to be a conduit for the LTTE (Bell, 2006d; Jeyaraj, 1996).²⁷ With Canada suspected of being one of the principal overseas support bases for the LTTE, measures have to be taken by the government to disrupt the flow of funds originating from its Tamil Diaspora. However, it is critical to keep in mind that, although many Canadian Tamils might ideologically support the LTTE's goal of an independent Tamil state, they do not necessarily endorse the means or approach that the LTTE have adopted to reach their objective.

It is difficult not to sympathize with the plight of the Tamils, especially with reports claiming that the Sri Lankan government is responsible for the extra-judicial killings of young Tamil males, the continuous misery of thousands of Internally Displaced Persons (IDP's), the torture of Tamil prisoners by police and military forces, and the blatant use of Tamil and Muslim land by the government to establish security zones and Buddhist shrines in areas prominently non-Buddhist (Ganesh, 2008; U.S. Department of State, 2008). More troubling is the government's artillery fire and aerial bombings of Tamil populated areas.²⁸ It is therefore no surprise that many Tamils support the LTTE, given the Sri Lankan government's continuous decline for the respect of human rights (U.S. Department of State, 2008). Even representatives of the international community recognized the basis for the Tamil's plight. For example, the British High Commissioner (HC), Dominick Chilcott, during a lecture in Colombo in December 2007, stated that there was nothing illegitimate about the aspiration for a Tamil Eelam (independent Tamil state), but that the LTTE's methods to achieve it were simply

²⁷ As early as 1996, Canadian Tamil journalist David Jeyaraj was writing in Canadian Tamil newspapers about the WTM being a front for the LTTE.

²⁸ It should be noted that as recent as April 2009, there were reports of the government shelling Tamil civilian populations. These civilians were held against their will by the LTTE who used them as human shields (Mallawarachchi & Engeler, 2009).

unacceptable ("Eelam is Not Illegitimate, but LTTE Methods are Unacceptable: British High Commissioner," 2007). Ironically, HC Chilcott's speech brought about antagonism from both sides of the conflict as some Tamil critics suggested that legitimate means to Eelam were prohibited under the Sri Lankan Constitution.²⁹ For their part, Sinhalese government officials expressed deep concerns about HC Chilcott's ostensible blessing for a separate state within Sri Lanka ("Lanka to express deep displeasure over Chilcott statement - Foreign Minister," 2007).

However, it seems that a Tamil Eelam may come at an expensive price. For example, it is alleged that many Canadian Tamils have been victims of LTTE intimidation and extortion (Becker, 2006). Obviously, not all Canadian Tamils are subject to these types of tactics as some may be at least ideologically supportive of the LTTE's goal and may not be opposed to contributing financially to its cause ("Sri Lanka: Human Rights Watch Replies to the Canadian Tamil Congress," 2006). Although it is extremely difficult to estimate the proportion of community members within the Canadian Tamil Diaspora subjected to LTTE pressure tactics and coercion, likely as a result of their

²⁹ The 6th Amendment to the Sri Lanka Constitution, passed on August 8, 1983, stipulates in its Article 157A that: (1) No person shall, directly or indirectly, in or outside Sri Lanka, support, espouse, promote, finance, encourage, or advocate the establishment of a separate State within the territory of Sri Lanka; (2) No political party or other association or organization shall have as one of its aims or objects the establishment of a separate State within the territory of Sri Lanka; (3) Any person who acts in contravention of the provisions of paragraph (1) shall, on conviction by the Court of Appeal, after trial on indictment and according to such procedure as may be prescribed by law, (a) be subject to civic disability for such period not exceeding seven years as may be determined by such Court; (b) forfeit his movable and immovable property other than such property as is determined by an order of such Court as being necessary for the sustenance of such person and his family; (c) not be entitled to civic rights for such period not exceeding seven years as may be determined by such Court; and (d) if he is a Member of Parliament or a person in such service or holding such office as is referred to in paragraph (1) of Article 165, cease to be such Member or to be in such service or to hold such office. ("The Constitution of the Democratic Socialist Republic of Sri Lanka," 2007).

reluctance to approach Canadian authorities, it is clear that many are pressured into giving money to the LTTE (Becker, 2006; Bell, 2008b; Romanick, 2006).³⁰

The continued appeal exerted by the LTTE on the Canadian Tamil Diaspora has resulted in Canada becoming an “economic backbone” for the outlawed militant group (Fair, 2004). The large sum of money being raised by the LTTE puts Canada in a precarious situation with its FATF crime-fighting partners and puts in question Canada’s ability to effectively combat terrorist financing (FATF, 2008a). This was evidenced by National Post senior correspondent and leading national security journalist, Stewart Bell, contending that money raised in Canada by the LTTE was used to purchase explosives and carry out suicide attacks in Sri Lanka (Bell, 2004). In September 1993, funds totaling \$990,987.00 were wired from a Vancouver HSBC bank account controlled by the LTTE to another LTTE bank account overseas (Bell, 2004). Eight months later, the LTTE’s chief arms buyer, Tharmalingam Shanmugham, alias Kumaran Pathmanathan or KP, used the Canadian money to arrange for an LTTE front company located in Dhaka, Bangladesh, to purchase a total of 60 tons of explosives (Bell, 2004). The explosive shipment, composed of ten tons of RDX³¹ and 50 tons of TNT, was acquired from a chemical plant in the Ukraine (Bell, 2004; Chalk, 1999).³² Some of the explosives were subsequently used by the LTTE to perpetrate Oklahoma City-style attacks on civilians and infrastructures in Sri Lanka (Chalk, 1999; Turlej, 2000). One of the most notorious and deadly bomb attacks to ever take place in Sri Lanka occurred on January 31, 1996 when a suicide bomber drove a truck laden with explosives into the Central Bank building in Colombo’s commercial district. In total, 91 people were killed and more than

³⁰ This topic will be further discussed in Chapter Four.

³¹ RDX stands for Royal Demolition eXplosive. RDX is a white powder widely used in military and industrial applications and is very explosive (ATSDR, 1996).

³² Stewart Bell obtained his information from classified intelligence documents, interviews with terror victims, and from senior counterterrorist officials (Bell, 2004).

1,400 others were injured. In addition to causing widespread panic, the explosion resulted in severe damage to Colombo's commercial district ("A terror attack in Colombo," 1996; The Memorial Institute for the Prevention of Terrorism, 2008).

There are many reasons that may compel Tamils living in Canada to donate money to the LTTE. Unquestionably, many may be genuinely engaged in supporting an organization viewed as defending Tamils in the face of discrimination and human rights abuses perpetrated by the Sinhalese authorities (A. Davis, 1996). However, as demonstrated in the example of the HSBC money transfer, Canada cannot afford to remain passive and condone the financing of terrorism. If the war in Sri Lanka is to end in the foreseeable future, Canada has the implicit responsibility to disrupt LTTE fundraising and terrorist financing from within. This is a daunting task that will require several strategies to work together from the laying of criminal charges and seizure of assets against LTTE terrorist financiers to police organizations earning Tamil Diasporas' trust.

2.3 Case Studies: Project CRIBLE and Project OSALUKI

Much has been written about terrorist financing. However, from a Canadian perspective, there has been very little research on the intricacies of how terrorist financing is actually carried out. Moreover, until recently, no one had been charged with a terrorist financing offence in Canada (Bell, 2008a; Royal Canadian Mounted Police, 2008).

In 2003, the LTTE became the subject of an Integrated National Security Enforcement Team (INSET) investigation after it was suspected of using various financial schemes in Canada to generate money to underwrite attacks in Sri Lanka (Bell,

2006b). What prompted the investigation into the activities of the LTTE was a probe conducted by the RCMP's Financial Intelligence Branch, in 2002, using the Sleipner model (Bell, 2006a).³³ This method identified the LTTE as a National Security strategic priority for the RCMP, meaning that the activities of the LTTE in Canada represented a potential threat to Canada, and sufficient grounds existed to warrant a criminal investigation (Bell, 2006a; Canada. Parliament. House of Commons, 2007). As a result, two parallel investigations, one in Montreal, Quebec, called "Project CRIBLE", and one in Toronto, Ontario, named "Project OSALUKI", were initiated simultaneously (Bell, 2007). The two investigations, which focused on the activities of a Tamil organization named "The World Tamil Movement" (WTM), with offices in Canada and around the world, considered the organization a front syndicate collecting funds on behalf of the LTTE ("Sa Majeste La Reine c. World Tamil Movement," 2006; "Suresh v. Canada (Minister of Citizenship and Immigration)," 2003). The two projects went fairly unnoticed until April 8, 2006, when the Conservative government listed the LTTE as a terrorist group. Within days of the listing, WTM personnel in Montreal and Toronto tried to hide and relocate documents and LTTE propaganda from their offices ("Sa Majeste La Reine c. World Tamil Movement," 2006). These actions precipitated an expedient response from the RCMP, which raided four locations in Montreal between April 12-13, 2006, and the Toronto WTM's office in Scarborough, on April 22, 2006 (Bell, 2006b; Jane's Intelligence Review, 2007; "World Tamil Movement c. Canada (Attorney General)," 2007). The execution of the search warrants in Montreal and Toronto yielded incriminating documents and LTTE propaganda material, such as posters, calendars, monthly bank reports relating to pre-authorized payments credited to WTM accounts,

³³ The Sleipner model is an analytical survey that helps determine whether the intelligence on a specific group is good and warrants further investigation (Canada. Parliament. House of Commons., 2004).

lists of donors, and even a voters list for the January 2006 federal election with Tamil names highlighted (Bell, 2006c; "Sa Majeste La Reine c. World Tamil Movement," 2006).

At the time of the execution of the search warrants, the RCMP had worked for over two years gathering evidence that the WTM and other Tamil organizations, such as the Tamil Rehabilitation Organization (TRO), had been collecting funds for the LTTE in order to purchase weapons and further the cause of an independent Tamil state. The Information to Obtain a Search Warrant (ITO), drafted in April 2006 by Montreal RCMP Corporal Denis Boudreau, outlined a very troubling, but sophisticated fundraising mechanism utilized by LTTE operatives in Canada. This method allowed the LTTE's alleged arm, the WTM, to amass considerable sums of money from willing and unwilling Canadian Tamil Diaspora members (Boudreau, 2006).

For instance, individual Tamil merchants in the Montreal area were requested to pay amounts anywhere from \$1,000.00 to \$3,000.00 per year to WTM representatives. This was in addition to other fundraising schemes promoted by the WTM, such as the "Tamil Saving Fund" in 2005, asking Tamil families, businesses, and prominent Tamil community members, to take personal loans ranging from \$2,500.00 to \$50,000.00 which were to be paid to the WTM. The ultimate goal of this one-time event fundraising activity, which the WTM pledged it would repay 10% by 2008, was to accumulate \$100 million by the end of June 2006 (Davermann, 2008). Given the amount of money that could potentially be raised as a result of a single fundraising event, it should come as no surprise that the LTTE was capable, through its worldwide businesses and fronts, to generate USD \$200 million to \$300 million per year ("USD 200 million profit margins maintain sophisticated Tamil Tiger war," 2007).

Another fundraising strategy of the WTM is door-to-door solicitation. The Montreal Tamil community, estimated at 25,000 individuals, has been regularly approached by WTM personnel, who use persistent means to convince Diaspora members to contribute financially to the LTTE. For example, some Tamil members have been pressured to sign monthly pledges to the WTM (Davermann, 2008). According to Corporal Boudreau's ITO, people from the Tamil community are intimidated by WTM members to donate money ("Sa Majeste La Reine c. World Tamil Movement," 2006).

One of the most clever and original fundraising methods employed by the LTTE has been the pre-authorized payment plan. To this end, Corporal Boudreau's ITO disclosed that members of the Tamil community, who have returned to Sri Lanka to visit relatives, have been compelled to agree to finance LTTE efforts on a monthly basis. The pre-authorized payment scheme is perpetrated as follows: A Tamil Canadian travels to Sri Lanka to visit relatives. Prior to entering Tamil territory controlled by the LTTE, the Tamil traveler is stopped at a Sri Lankan army checkpoint, described as a routine customs check. Once through, and approximately one kilometer away from the Sri Lankan army, the traveler is stopped again, this time at an inspection point manned by LTTE operatives. The Tamil traveler is then asked to produce his Canadian passport, where the data is checked on a computer. Interestingly, even though this trip to LTTE-occupied area may be the first one that the traveler takes, much information is already known about the individual, such as their name, address, relatives in Sri Lanka, and the amount they have previously contributed in Canada towards the LTTE. If the LTTE data reveals that the traveler has not been a contributor, the individual is encouraged to make a monthly pledge, which may vary according to the length of time the traveler has lived abroad (Becker, 2006; Davermann, 2008). For instance, a typical monthly pre-authorized debit

pledge may range in the neighborhood of \$30.00 per month. Once the traveler has signed the pre-authorized payment plan at the checkpoint, he is informed that WTM members in Canada will visit him in order to complete the payment process. The traveler is then given a pass, similar to a Visa, and permitted to continue on his journey into LTTE-controlled territory. It should be mentioned that failure to agree to the monthly pledge could ultimately prevent the traveler from entering LTTE-controlled territory (Davermann, 2008). Upon returning to Canada, the traveler is contacted by a WTM member who produces a copy of the form the individual signed in Sri Lanka. The pre-payment arrangement is then facilitated by the WTM member and monthly pledges begin to be automatically withdrawn from the payer's account. The money is then directly deposited into a WTM account. WTM money is later funneled through formal payment systems to the LTTE International Secretariat located in Sri Lanka (Davermann, 2008).

The above scenario is typical of a Tamil Canadian visiting the LTTE-controlled territory of Sri Lanka (Davermann, 2008). However, a procedural difference exists if the individual is already participating in some form of financial support. For instance, some Tamil families in Europe have been issued a PIN number, associated to a Tamil Eelam identity number, which indicates that the family is contributing financially to the LTTE cause (Becker, 2006; "Not a feather in Tiger cap," 2007). This new method of fundraising, along with all the others already discussed, has enabled the LTTE to maintain its financial resources (Jane's Intelligence Review, 2007).

LTTE fundraising activities in Canada, sponsored by organizations such as the WTM, brings an appearance of legitimacy (i.e. engaged in humanitarian activities or cultural events), which is needed in order to provide a legitimate front for the organization (Bell, 2008c; Jayasekara, 2007; U.S. Department of State, 2008). For

example, in August 2006, three Canadians of Tamil origin were among eight people arrested after the three traveled to New York in order to acquire military equipment for the LTTE (Federation of American Scientists, 2006). Some of the more sophisticated armaments to be purchased were sought in order to shoot down Sri Lankan Air Force fighter jets and destroy boats (United States Department of Justice, 2006). The deal, which would have cost the LTTE somewhere between USD \$900,000.00 and \$937,500.00, was allegedly facilitated by one of the Canadians and would have procured the LTTE with ten SA 18 surface-to-air missiles and 500 rifles (United States Department of Justice, 2006). Had this illicit sale of weapons not been stopped by authorities, subsequent negotiations for the purchase of an additional 50 to 100 surface-to-air missiles, costing in the millions, would have likely taken place (United States Department of Justice, 2006).³⁴ Based on the literature reviewed for this paper, the funds raised in Canada by the WTM have directly contributed to the LTTE's cause. Accusations that the WTM is a front for the LTTE continue to be vehemently denied by its Canadian president, Mr. Sithamparathan. During a Show Cause Hearing held in Quebec Provincial Court, in the City of Montreal in May 2007, Sithamparathan explained that the WTM, with an annual budget between \$40,000.00 and \$50,000.00, was the main organization representing the interests of the Tamil people. Sithamparathan added that the WTM offered community services, such as language classes in Tamil, French, English, promoted sporting activities for children, and provided computer classes ("Sa Majeste La Reine c. World Tamil Movement," 2007). During his examination-in-chief,³⁵

³⁴ On January 26, 2009, a Canadian Tamil, 29 years old Sathajhan Sarachandran, pleaded guilty to five counts of terrorism related charges in a New York court. Sarachandran had attempted to purchase SA 18 heat-seeking missiles and AK-47 on behalf of the LTTE (Bell & Humphreys, 2009).

³⁵ An examination-in-chief is a legal term that relates to the questioning of a counsel's own witness under oath. A witness is introduced to a trial through an examination-in-chief, which is when the witness answers

Sithamparathan was adamant that the search conducted by RCMP officers at the WTM's office in Montreal in April 2006 had extremely negative consequences for his organization. Sithamparathan explained that the search of the WTM's premise had caused seniors and children to stop coming to the WTM and also resulted in a reduction in the amount donated to the organization by the Tamil Diaspora ("Sa Majeste La Reine c. World Tamil Movement," 2007).

On April 11, 2008, in an unprecedented move, both the Toronto and Montreal RCMP National Security teams inconspicuously restrained property belonging to the WTM, pursuant to Section 83.13 (1) of the *Criminal Code* (Bell & Hamilton, 2008; Davermann, 2008). In Montreal, the property frozen included the WTM headquarters, located on Van Horne Avenue, worth an estimated \$352,500.00 in 2007, and its TD Bank account, where approximately \$4,000.00 still remained (Davermann, 2008). Other exhibits detained by the police resulting from the 2006 search warrants were formally seized via an application for a Special Search Warrant.³⁶

In Toronto, the property restrained included two CIBC bank accounts, four TD bank accounts, and a host of paraphernalia, such as images of the LTTE leader, LTTE propaganda CDs, clocks, watches, cups, shirts, an even an image of the female LTTE suicide bomber responsible for the assassination of former Indian Prime Minister Rajiv Gandhi (Hill, 2008). The evidence that the police collected during its investigations into the activities of the WTM overwhelmingly linked it to the LTTE.

questions asked by the lawyer representing the party which called him/her to the stand ("Examination-in-chief," 2008).

³⁶ In relation to proceeds of crime or offences related property, the term "restraint" is associated with the seizure of an intangible asset, something of value that cannot be physically touched or moved, such as a bank account or a residence. The term Special Search Warrant is associated with the "seizure" of tangible assets, such as a vehicle, furniture, or documents. The Anti-Terrorism Act introduced provisions that permit the subsequent forfeiture of property related to terrorist groups or terrorist activities that have been "restrained" or "seized" under Section 83.13 of the Criminal Code (Hubbard et al., 2004; Pocket Criminal Code, 2008).

One piece of evidence collected by police during the execution of a search warrant on a Montreal apartment was particularly damaging. This evidence, a document entitled *Re-Organization of Foreign Branches of the Liberation Tigers of Tamil Eelam*, explicitly outlined how the activities of the WTM (i.e. cultural events, language schools, computer classes, sporting events, and fundraisers) were to be set up to directly benefit the LTTE (Davermann, 2008; Jayasekara, 2007). The document, produced in 2003, explained the duties and activities of the Foreign Branches (i.e. WTM). In order to survive as an organization and attain its ultimate goal of an independent Tamil state, the LTTE heavily depends on contributions from Tamil Diasporas dispersed around the world (Davermann, 2008). As a result, the LTTE created sub-organizations that operated in each of those countries, which it called Foreign Branches. The *Re-Organization of Foreign Branches of the Liberation Tigers of Tamil Eelam* document, also called LTTE Operations Manual by the police, detailed four areas of activities that must be established by the Foreign Branches (Davermann, 2008). These were: (1) propaganda and media; (2) fundraising from the public; (3) the activities of auxiliary organizations; and (4) the Tamils' welfare associations.

All the evidence collected by the police demonstrated that the Montreal and Toronto WTM offices financed the LTTE and operated in a manner that followed the guidelines enumerated in the organization's Operations Manual. For instance, the WTM established contacts with politicians, promoted Martyrs Day events, printed LTTE propaganda, and organized sporting events to help raise funds for the LTTE (Davermann, 2008; Hamilton & Bell, 2008a). As a result of its activities, police estimated that, since 2001, the WTM Montreal office alone raised over \$666,874.00 (Davermann, 2008; Hamilton & Bell, 2008b). Even though the police seizure case appeared very robust,

WTM's lawyer Steven Slimovitch argued that the WTM was not involved in funding terrorism, as evidenced by the fact that no one has been criminally charged. Moreover, he maintained that the police should stop targeting the WTM (Bell & Hamilton, 2008). For his part, the president of the Toronto WTM, Mr. Sittampalam, vehemently denied the RCMP allegations that his group was a front for the LTTE (Grewal, 2008).

2.4 Civil Forfeiture: How Can Assets Be Forfeited Without Charges?

As mentioned in the above section, both the Montreal and Toronto RCMP police seized and restrained WTM property as per Section 83.13(1) of the *Criminal Code*. That section allows the government to prepare for the forfeiture of assets seized and/or restrained based on “a balance of probabilities” that the evidence is tied to terrorism (Bell & Hamilton, 2008). This is a lower burden of proof than that of “beyond reasonable doubt” which is normally associated with someone charged with a criminal offence. The legal instrument used to forfeit assets on the balance of probabilities when no one is charged is called “civil forfeiture”. In this section, a very brief explanation of the concept behind civil forfeiture and its relationship to the cases at hand will be discussed.

Civil forfeiture of property is a legal proceeding against the property itself (also known as *in rem* proceeding). A civil forfeiture action requires the government to show by the civil standard of proof based on the balance of probabilities that the property violated the law. Whereas civil forfeiture is a proceeding against the property, criminal forfeiture is a proceeding against a person (also known as *in personem* proceeding) alleged to have committed a crime. The major differences between civil and criminal forfeiture proceedings can be summarized as: a civil forfeiture is not dependent on the initiation or successful completion of a criminal action against a defendant, whereas

criminal forfeiture is dependent on the conviction of the accused, and the Crown to prove beyond a reasonable doubt that a person committed the offence (Richards, 1999).

Although the implementation of *in rem* forfeiture within the *Criminal Code* dates back to 2001, the concept is not new to Canada. Many Canadian federal statutes contain provisions that mandate the *in rem* forfeiture of property used in violation of the Acts (Hubbard et al., 2004). Some of these Statutes, such as the *Customs Act*, the *Excise Act*, and the *Fisheries Act*, can be traced back to just after the implementation of Canada's Constitution.

2.4.1 Civil Forfeiture within the Anti-Terrorism Act

On December 18, 2001, some of the most rigorous sections ever introduced to the *Criminal Code* came into force with the proclamation of the *Anti-Terrorism Act*. This also meant that fully-fledged civil forfeiture provisions were now an integral part of the *Criminal Code* (Hubbard et al., 2004). The *Anti-Terrorism Act* was Canada's response to the terror attacks of September 11, 2001, and provided an expansion of powers to address the threats of terrorism (Hubbard et al., 2004). For example, Section 83.14 C.C. allows the Attorney General to make an application to a judge of the Federal Court for an order of forfeiture with regards to: a property owned or controlled by or on behalf of a terrorist group; or a property that has been or will be used, in whole or in part, to facilitate or carry out a terrorist activity.

Because the forfeiture application is presented in the Federal Court, someone need not be charged or convicted of a criminal offence in order for the property to be

forfeited.³⁷ In the case of any property that falls under Section 83.14(1) C.C., such as the WTM's office and its bank accounts, the Crown is only required to prove on a balance of probabilities that the property is terrorist-related. Once that is completed, the property is forfeited (Hubbard et al., 2004). A key question is whether this legislation is fair? The response can be found in the *Anti-Terrorism Act* itself as it provides an innocent owner's or third-party clause that will prevent the property from forfeiture.

However, for that provision to be invoked, the owner or third-party must establish that he/she had been diligent in ensuring the property could not be used to facilitate or carry out terrorist activities (Hubbard et al., 2004). In the case of the WTM building, bank accounts, and LTTE paraphernalia restrained and/or seized, the evidence introduced by way of affidavits by the Toronto and Montreal National Security police strongly supported the belief that the WTM was an arm of the LTTE. Evidence that the owners of the Montreal WTM building were aware of the activities may make it difficult for them to use the innocent owner's clause to stop the forfeiture of their property.

³⁷ The Federal Court is Canada's national trial court which hears and decides legal disputes arising in the federal domain that include claims against the Government of Canada, civil suits in federally-regulated areas, and challenges to the decisions of federal tribunals. With regards to Criminal Code applications permitting forfeiture of property, they are usually made to provincial superior courts after witnesses have testified. However, Section 83.14 of the Criminal Code specifically requires that applications for the forfeiture of terrorist property be made to the Federal Court. This requirement acknowledges that the application may not have anything to do with proof of criminal acts against individuals. In addition, hearsay affidavits are allowed and may provide the evidentiary basis for the forfeiture. Consequently, the forfeiture application is strictly *in rem* and solely aimed at the property of terrorists (Federal Court of Canada, 2008; Hubbard et al., 2004).

2.5 The Global Fight against Terrorist Financing: The 2008 FATF Evaluation of Canada

This major paper would not be complete without a cursory look into the 2007-2008 FATF mutual evaluation of Canada. The evaluation, completed in February 2008, measured Canada's anti-money laundering and terrorist financing regime and its compliance against the 40 + 9 FATF recommendations (FATF, 2008a). Canada has come a long way since its last mutual evaluation completed more than ten years ago. Hence, the most consequential developments have been the advent of the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act* and the creation of the Financial Transactions Reports Analysis Centre of Canada, also known as FINTRAC (FATF, 2008b).³⁸

Although it would be beyond the scope of this paper to provide a detailed examination of the FATF report, a section, notably that related to Canada's three terrorist financing offences (ss.83.02-83.04, C.C.) warrant further discussion. Of particular interest is the critical outlook the report provides on the number of persons (only three) who have been charged with terrorist financing offences since the inception of the law in 2001 (FATF, 2008a). Because only one of these cases has gone to trial at the time of this writing, the FATF is concerned that the effectiveness of the terrorist financing regime is an issue that requires further attention from the authorities (FATF, 2008a).³⁹

The FATF was also concerned with the low number of analytical work related to money laundering and terrorist financing that FINTRAC generates. Given its advanced

³⁸ FINTRAC is a financial intelligence unit created in order to acquire, analyze, and disclose financial information and intelligence on suspected money laundering and terrorist financing activities to law enforcement agencies. The Centre, created in July 2000, is an integral part of Canada's engagement in the global fight against money laundering and the financing of terrorist activities (FINTRAC, 2008).

³⁹ On October 29, 2008, Mohammad Momin Khawaja became the first individual to be found guilty under the Anti-Terrorism Act. Among some of the charges, Khawaja was convicted of terrorist financing and facilitating a group of British Islamic extremists who were plotting to bomb London, England. On March 12, 2009, Khawaja was sentenced to 10 ½ years imprisonment (Brennan, 2009; Duffy & MacLeod, 2008; Wark, 2008).

technology, law enforcement agencies should be in a position to better benefit from FINTRAC disclosures. However, this has not been the case. Unsatisfactory timelines for FINTRAC disclosures, which can take months, and the limited added value of the disclosures, have frustrated many law enforcement agencies (FATF, 2008a). For its part, FINTRAC called the criticism unfounded and unreflective of the "legal reality" in Canada (Montpetit, 2008). Although it is true that Canada's "legal reality", namely the Charter and privacy laws, impose severe operational restrictions upon FINTRAC, recent discussions this author had with proceeds of crime investigators seem to support that FINTRAC disclosures to law enforcement agencies have had limited added value.⁴⁰

In summary, the report is quite critical of Canada's compliance record with the 40 + 9 FATF Recommendations. For example, Canada has been identified as non-compliant on 11 recommendations and only partly compliant on another seven (FATF, 2008a). Canada's terrorist financing strategy was also negatively commented upon. However, it is the author's view that the efficacy of a strategy should not necessarily be judged on the number of people charged criminally, but on its success before the courts. In any event, this is an area to watch in the future.

2.6 Chapter Summary

Although money laundering and terrorist financing concepts share some common techniques, terrorist financing is not a mere extension of the former. Because of the legitimate origin of some of its funds, terrorist financing can be more subtle and difficult

⁴⁰ It would be beyond the scope of this paper to discuss the Canadian laws that affect FINTRAC's ability to operate more efficiently. Suffice to say that the FATF report may trigger legislative reforms to improve FINTRAC's operational restrictions. Please visit the FATF website at <http://www.fatf-gafi.org/dataoecd/28/33/40196937.pdf> for an executive summary of the report. With regards to the timeliness of FINTRAC disclosures to law enforcement agencies, a substantial improvement has been noted since March 2007 (FATF, 2008a). Lastly, the police officers approached by the author with regards to this section wished to remain anonymous.

to detect. As such, a better understanding of its process is necessary so that any of its various stages can be identified and reported to law enforcement agencies for further investigation.

Despite the fact that few individuals have been charged and/or convicted under Canada's terrorist financing laws, a preliminary assessment of the legislation would seem to support the opinion that the laws are working. Even though no LTTE operative has been arrested for terrorism offences in relation to Project CRIBLE and Project OSALUKI, the legislative strategy through its civil forfeiture regime, has enabled Canadian authorities to disrupt some of the LTTE's fundraising activities. There is no doubt that the likely forfeiture of money and real estate seized and/or restrained by law enforcement as a result of the Montreal and Toronto LTTE investigations will hurt the organization.

Lastly, the 2008 FATF Evaluation of Canada's money laundering and terrorist financing regime may have identified deficiencies; however, these should not necessarily reflect on the efficacy of the strategy as a whole. Recently, Canada had an opportunity to test the criminal law component of the legislation with an individual involved in a plot to bomb London, England. His successful conviction is a reassuring message that the legislative process, despite criticism, is working.

The next two chapters will be dedicated to Tamil nationalism and the causes that compel many Tamil Canadians to continue funding the LTTE despite enjoying relative social stability in Canada. The primary source of data for these chapters is a preliminary survey administered to Tamil Canadians which examined the nature of the nationalistic sentiments felt towards the motherland and towards the general objectives of the LTTE.

Chapter Three: Tamil Canadian Nationalism Survey

3.0 Tamil Nationalism

Tamil nationalism can be defined as the aspiration by some Tamil people to establish, at minimum, self determination within Sri Lanka. The principles of Tamil nationalism are to seek to preserve and modernize Tamil language and culture, unify Tamils across boundaries, abolish caste discrimination, elevate the economic status of Tamil people, and provide for a Tamil identity (Tamil nationalism, 2007). To measure the nationalistic sentiments of Tamil Canadians, an on-line survey was administered. However, the survey, conducted over the Internet, presented major challenges with respect to specifically targeting Tamil Canadians while ensuring anonymity and confidentiality. To be successful among the Tamil Canadian community, the survey had to ensure cultural sensibility and a respect for Tamil values. These challenges were met by presenting the survey prior to its administration to several acquaintances of the author.⁴¹ Although their role was limited, these individuals, all of whom were Sri Lankan Tamils, provided important feedback on the nature of the questions and the general methodology.

In addition, a segment of the survey focused on the possibility that nationalistic fervor could be the nucleus and a contributing factor that enticed some Canadian Tamils to fund a free and independent Tamil state. If this were the case, new strategies would need to be developed by Canada to ensure that those funds were stopped or intercepted before being appropriated by organizations, such as the LTTE.

⁴¹ The Tamil acquaintances referred to above were introduced to the author by a mutual friend. All of whom have requested anonymity.

3.1 Survey Methodology

Electing the right survey method for this research was a significant challenge. For one, no researcher had ever approached the Canadian Tamil Diaspora in order to measure its nationalistic sentiments. Furthermore, getting the Tamil Diaspora to participate in a survey that fostered anonymity, confidentiality, but was random proved problematic.⁴² For example, in 2004, a Canadian telephone survey was commissioned by a polling firm, Small World Communications, on behalf of the WTM to solicit Tamil respondents. The survey was meant to inquire whether or not the Tamil respondents had been subject to any type of intimidation or extortion by the WTM (Bell, 2004). The results of the survey revealed that the overwhelming majority of respondents (97.0 per cent) reported that they were not subjected to intimidation or extortion (Bell, 2004).

However, the method employed by the polling firm to survey the Canadian Tamil population is open to scrutiny. For instance, it is questionable how truthful respondents were to the questions knowing that the pollsters worked for the WTM. Furthermore, the fact that Tamil people were singled out and identified removed the protective wall of anonymity which is extremely important to have if results were to be trusted (Bell, 2004). For these reasons, and others related to time and budget, this study employed an Internet-based survey that would allow for anonymity and confidentiality.

3.1.1 Limitations of this Internet-Based Survey

There are many restrictions to Internet-based research. Although the Internet is becoming more and more popular, and an estimated 67% of Canadians have access to it,

⁴² Conducting a survey where the element of randomness is present is more desirable because it is theoretically the best way to identify a representative sample (Palys, 2003). This will be discussed further in the next section.

the Internet is not yet a venue that can be presumed to provide access to all segments of a population (Internet World Stats, 2008; Palys, 2003). For example, it is believed that the average Internet user is predominantly male, middle class, and has a better than average education (Palys, 2003). A potential problem with an Internet-based survey that aims to strictly protect the identity of respondents is that it becomes impossible to confirm whether or not the respondents belong to the targeted population. In an attempt to reduce the effect of this limitation, the author took a series of precautionary measures that will be explained below.

While many researchers admit that probabilistic sampling techniques that encompass taking a random sample and obtaining a representative cross section of a target population is more desirable, this study used a convenience sample method also known as the self-selection method. (Palys, 2003).

3.1.2 The Convenience Sampling Method

Canadian Tamil citizens were made aware of the survey and how to access it through announcements in Tamil newspapers, identified through the Canadian Tamil Business Directory.⁴³ These newspapers were subsequently contacted and inquiries were made as to whether they would print a public service announcement for a university survey. Editors representing the elected newspapers agreed to run the advertisement.⁴⁴ Once the newspaper ad was drafted, editors were re-contacted. This time, a copy of the ad was attached to their correspondence.⁴⁵ Interestingly, three newspaper editors contacted the author and asked if they could view the survey questionnaire prior to running the

⁴³ The Tamil Business Directory can be accessed at <http://www.tamillisting.com/index.php?id=121>

⁴⁴ A budget of \$500.00 was made available for the newspaper ads which were scheduled to appear at different intervals over a period of five weeks.

⁴⁵ Please refer to Appendix C for an illustration of the newspaper ad.

advertisement.⁴⁶ Following a review of the survey, two of the editors replied that their newspapers would not publish the ad. The third newspaper editor agreed to publish and remarked that the survey was not biased. The main reasons provided for not running the ad were that the survey questions could damage the newspapers' reputation. The editors did not like certain questions, such as the ones dealing with financing and immigration status.⁴⁷

It should be mentioned that the editors were contacted by the author to stress the importance of the study and emphasize its value in providing information about the level of nationalism felt by the community. Although the author restated that there would be no harm associated to any individual participating in the survey, and that other Tamils had found the questions to be non-offensive and respectful of Tamil cultural values, the editors remained unwilling to publish the ad unless questions were removed and/or amended. No further communications between the author and these editors took place.

Another avenue the author employed to promote the survey came after the survey went live. One of the comments provided by a respondent suggested that the author promote the survey through Tamil places of worship. Following this advice, the author identified a number of Tamil Hindu temples and Tamil churches. These were mainly located in the Greater Toronto area and in Quebec.⁴⁸ In total, 28 locations could be confirmed as hosting Tamil congregations. These places of worship were sent a copy of the newspaper ad along with a note asking them to consider posting the ad in a visible

⁴⁶ Please refer to Appendix A for the survey.

⁴⁷ Out of courtesy and respect for the editors' opinions, the author has elected not to name the Tamil newspapers that refused to publish the ad. The other newspapers canvassed for this survey were the Agini Media, the Monsoon Journal, the Muzhakkam, the Suthanthiran, the Uthayan, the Veedu, and the Tamil Mirror.

⁴⁸ List of Hindu temples worshiped by the Tamil community in Canada were obtained from <http://webhome.idirect.com/~krish/temple.html> and <http://tamilelibrary.org/teli/temple1.html>. Similarly, Tamil churches and other places of worship were identified at <http://tamilyellowpages.com/ca/ListCat.aspx>.

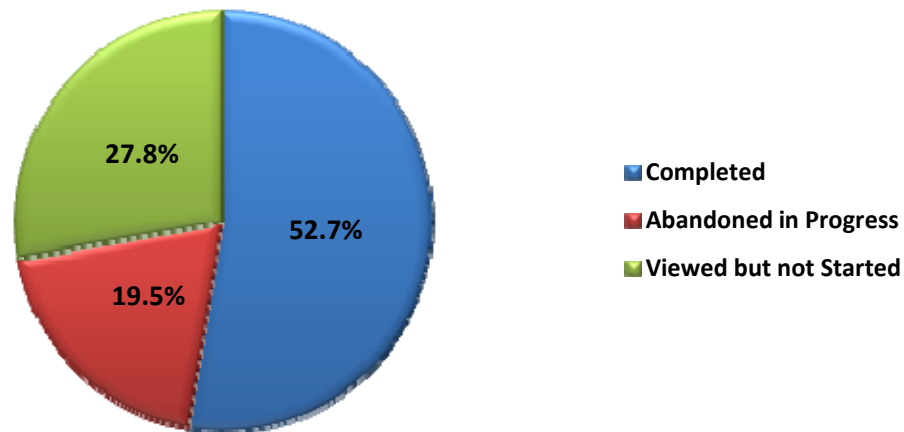
location for their Tamil congregation to see. Further follow-up was made to get a sense of how many of these places had posted the ad. However, due to a language barrier, only five confirmed that they posted the ad. Lastly, a copy of the newspaper ad was e-mailed to the Canadian Tamil Congress asking it to consider letting its membership know about the survey.⁴⁹ No further follow-up was made. All the above entities were contacted in an effort to cover as broad a spectrum as possible of the Canadian Tamil community.

As explained earlier, the convenience sample method was selected because this was the ideal approach to reach and set Tamil Canadians apart from the general population. As can be seen on Figure 3 below, 442 hits were registered on the website. Of these, a slight majority (52.7 per cent) completed the survey, approximately one-fifth (19.5 per cent) abandoned the survey in progress, and slightly more than one-quarter (27.8 per cent) viewed the survey, but chose not to participate in the study.

Unfortunately, the convenience sampling method adopted for this research had other limitations. For example, it was impossible to determine whether this sample was representative of Canadian Tamils. Although some basic demographic information was obtained (see Appendix B), the author is not aware of any data available on Tamil Canadians that could assist in determining whether or not the sample in this study was a representative population.

⁴⁹ The Canadian Tamil Congress was established in 2000 as the unified voice of the Canadian Tamil community. The CTC has avidly worked to integrate various Tamil community service organizations and individuals from coast to coast in an effort to better represent and serve its nationwide community. <http://www.canadiantamilcongress.ca/>

Figure 3. Survey Statistics Overview (n = 442)



Furthermore, it must be kept in mind that those who visited the website and completed the survey may have been those who felt most strongly about the issue or may not have been Tamils. This poses a risk in that the results may be distorted. Consequently, the data presented in this major paper must be considered exploratory and not representative.⁵⁰

3.2 Chapter Summary

This survey, administered to Tamil Canadians, was meant to measure their nationalistic sentiments towards the motherland and the contributing factors that led a number of them to support the general aspirations of the LTTE. Electing the right survey method was a considerable challenge. Ultimately, the convenience sampling method was selected because it increased the probability that exclusively Tamil Canadians would participate with the study, despite the inherent risks that responses would be distorted and perhaps not representative of all Tamil Canadians' opinions. In the end, the data

⁵⁰ Please note that although anonymity and confidentiality were ensured, the author firmly believes that the respondents were Tamil Canadians. This belief is supported by the fact that the author only advertized the survey site through Tamil Canadian media. Furthermore, the 110 comments collected through the research strongly suggested that the respondents were Tamils as many referred to their ethnicity in the comments and demonstrated a current knowledge of the intricacies of the Sri Lankan conflict.

advanced in this research must be examined as exploratory and not necessarily characteristic of Tamil Canadians.

Chapter Four: Analysis and Discussion of Survey Results

4.0 General Demographics of Sample

Prior to examining the nature of the nationalist fervency and the support of the LTTE by Tamil Canadians, it is necessary to elaborate upon the demographics of the sample population under this study. A wide range of variables could conceivably explain the differences between individuals who may be more inclined to hold firm nationalist sentiments towards the motherland and give support to the LTTE. For the purposes of this exploratory analysis, in addition to a univariate analysis of the key survey questions, age, gender, marital status, education level, year of immigration to Canada, gross income, and languages spoken, will be examined as independent variables that might influence such sentiments.

Of those who provided information about gender ($n = 272$), nearly three-quarters (73.2 percent) were males. Rather than asking respondents to provide their actual age, the survey provided five age groups to choose from. The largest proportion of respondents (27.6 per cent) was between 36 to 45 years old. However, the sample was relatively evenly distributed between the five age groups. Specifically, 15.1% of the sample reported being between 18 to 25 years old, nearly one-quarter (23.5 per cent) indicated they were 26 to 35 years old, approximately one-quarter (18.7 per cent) were 46 to 55 years old, and the remaining 15.1% identified themselves as 56 years old or older.

In terms of marital status, slightly more than two-thirds (68.7 per cent) indicated that they were married and nearly everyone else (24.6 per cent) reported that they were single. When asked if they still had a family member living in Sri Lanka, only three participants chose to respond. While there is no clear explanation for this, it is possible

that respondents did not answer this question because they did not trust that their responses would remain anonymous and that family members might be identified.

In terms of where participants were born ($n = 270$), the overwhelming majority (92.2 per cent) were born in Sri Lanka, while a very small proportion (4.4 per cent) reported being born in Canada. Among those born outside of Canada ($n = 255$), nearly one-third (29.4 per cent) had completed high school, while an additional 18% had obtained an undergraduate degree. Only a very small proportion (5.1 per cent) indicated that they did not have any education. By comparison, among those few who indicated that they were born in Canada ($n = 12$), five stated that they had completed some university, while three had completed university and three had completed graduate school. Of all the respondents who indicated that they were born in Sri Lanka, the majority (85.5 per cent) came from the Jaffna area.

A key issue for this study was Tamil ethnicity. Given this, respondents were asked to self-identify their Tamil ethnicity. Of all those who answered the question ($n = 271$), the overwhelming majority (88.5 per cent) indicated that they were Ceylon Tamils. Only a very small proportion (1.5 per cent) stated that they were Indian/Plantation Tamils. When participants were asked what languages they spoke, all ($n = 269$) responded that they spoke Tamil. Furthermore, among this group, a large majority (85.1 per cent) spoke English, while a smaller proportion (27.5 per cent) indicated that they could converse in Sinhala. Additionally, French was spoken only by a small minority (6.0 per cent) of respondents.

Inquiries into the year the participants immigrated to Canada ($n = 270$) indicated that slightly more than half (53.0 per cent) arrived between 1991 and 2008. A slightly smaller, but still large group (41.1 per cent) reported that they emigrated between 1981

and 1990, while a very small proportion (1.4 per cent) arrived in Canada before 1981. When participants were asked how they entered Canada (n = 252), over half (53.6 per cent) indicated they had arrived as refugees and slightly more than one-third (34.9 per cent) had been sponsored. When asked to specify in which province the participants resided (n = 263), the overwhelming majority (95.1 per cent) indicated that they lived in Ontario.⁵¹

Lastly, when participants were solicited to provide information about their gross income (n = 258), slightly more than one-fifth (27.9 per cent) reported that they earned between \$25,000.00 and \$49,999.00. A nearly equal proportion (27.1 per cent) reported that they made between \$50,000.00 and \$74,999.00, while approximately one-fifth (21.3 per cent) admitted to earning less than \$24,999.00.

To summarize, the typical person who completed this survey was a married male between the ages of 26 to 55 years old who was born in Sri Lanka and came from Jaffna or the Northern Province. The typical respondent self-reported as a Ceylon Tamil, completed high school or a higher education, and arrived in Canada after 1981 either as a refugee or sponsored immigrant. Finally, the individual spoke Tamil and English, lived in Ontario, and typically earned between \$25,000.00 and \$74,999.00.⁵²

⁵¹ While the survey targeted Tamil Canadians across Canada, the Tamil newspapers who advertised the survey were mainly distributed in Ontario.

⁵² It is difficult to estimate the general demographics of Tamil Canadians as very little data is available on the subject. However, in spite of this, some data regarding the economic conditions of Canadian Tamils is available. For example, the Encyclopedia of Canada's Peoples reported that, in 1991, of a small sample of individuals who reported Tamil as their first language (30,220 people), approximately 50% indicated that they earned less than \$10,000.00 a year, and 20% reported an income between \$10,000.00 and \$20,000.00. Another 20% reported that they earned between \$20,000.00 and \$40,000.00 while approximately 3% reported that they earned between \$40,000.00 and \$60,000.00. Lastly, less than 1% reported that they earned over \$60,000.00 (Magocsi, 1999).

4.1 Survey Analysis

Respondents were asked a series of questions about their feelings towards the motherland, the current ethnic conflict, and how they perceived the LTTE. Results were analyzed to identify any statistically significant differences and the degree to which demographic variables influenced the participants' general sentiments. Interestingly, although many combinations of demographic variables were tested against non-demographic data, only a few analyses provided statistically significant results. In addition, other key independent variables which analysis was deemed uninteresting to the study of this major paper were not included.

A key measure of general attitude towards the conflict in Sri Lanka is whether an individual believed that that Tamils and Sinhalese could coexist within an island state. Of all the participants who answered this question ($n = 259$), approximately two-third (68.3 per cent) did not believe that Tamils and Sinhalese could coexist. This result should be seen in the context of a population that has been and is widely perceived to be subjected to continued human rights violations perpetrated against civilian Tamils by the Sri Lankan government (U.S. Department of State, 2008). This perception of harassment or systematic discrimination at the hands of the Sinhalese government is reflected in the following statement by one respondent:⁵³

“Despite I am a professionally qualified accountant and a law-abiding, peace loving individual, I was troubled by the Sri Lankan authorities for being a Tamil. Thus, I firmly believe, like almost all of the Tamils, Sinhalese and the Tamils can never co-exist”.⁵⁴

The participant's strong feelings about the Tamils and the Sinhalese being unable to co-exist are indicative of a Tamil population that perceives the Sinhalese government as systematically racist and incapable of governing justly. In short, this sentiment of

⁵³ All quotes by survey respondents mentioned in this major paper were taken verbatim. Grammar and spelling mistakes were not corrected.

⁵⁴ Male, 36-45 years old, born in the Jaffna area.

injustice and discrimination provides a rationale for resistance to the state and undermines a political solution. This cynicism towards the real or imagined incapability of the Sinhalese government to treat Tamils as equals has and will continue to unleash stronger actions and reactions to what is perceived as an imposition on their basic freedoms.

In terms of how Tamil Canadians perceived an armed struggle as the only way to resolve the ethnic conflict, slightly more than half (54.3 per cent) of those who answered (n = 258) this question agreed that an armed struggle was the only solution. The fact that a majority, however small, of the sample study favored an armed conflict is striking. A variable of note on this issue may be age. In effect, slightly more than two-thirds of people over the age of 36 years (68.5 per cent) agreed that an armed struggle was the only answer.⁵⁵ Yet, the favoring of an armed conflict as the only viable solution must be understood in light of the above point that the Tamil Diaspora community under study views any viable political solution as conflicting with co-existence. In other words, critical to understanding why armed conflict is favored over a political solution is the historical failure of the peace process.⁵⁶

Another key issue was the degree to which respondents agreed that the establishment of an independent Tamil state would bring an end to the armed struggle.

⁵⁵ Data for this cross-tabulation was not statistically significant for any age group. Of note, while only a minority of respondents under the age of 35 (31.5 per cent) believed in an armed struggle, the majority of those over the age of 36 (68.5 per cent), believed this to be the only answer. These results could be interpreted as, the older the individuals are the more likely they will have experienced the historical failure of the peace process, and the institutional racism resulting from the pro-Sinhalese nationalist movement. Therefore, they may be more inclined to believe that an armed struggle is the only solution to resolve the ethnic conflict.

⁵⁶ The Peace Process in Sri Lanka can be traced back to 1957, when S.W.R.D. Bandaranaike and Chelvanayakam introduced the BC Pact, mentioned in Chapter One. The pact was abrogated when under pressure from the Sinhalese clergy Bandaranaike had to break his word. The BC Pact was the first attempt of many peace processes taking place in 1965, 1984, 1985, 1987, 1989, 1995, and 2002. All of which were unsuccessful in restoring an acceptable balance to Tamil rights and may have had a significant impact in favoring armed conflict over political solutions (Bouffard & Carment, 2006).

This vital theme, at the heart of the current conflict, was answered by 258 participants, of which the large majority (83.3 per cent) agreed.⁵⁷ Given the political reality of a detested Sri Lankan government by its Tamil minority, it is no surprise that the majority of Tamil Canadian respondents firmly believed that the establishment of an independent Tamil state was the only answer to political stability. To this effect, four respondents volunteered opinions that supported this perspective.

“I strongly believe that the recognition of an independent state for the Sri Lankan Tamils is the only way to prevent further atrocities in Sri Lanka”.⁵⁸

“I am in favour (sic) of a Tamil Eelam because it is clear that the Sri Lankan Government cannot recognize our culture, our language, and our Tamil heritage. We tried and tried to coexist with them for many years, but it failed because the government continues to ignore our cries. The Tamil voice goes unheard of in Sri Lanka”.⁵⁹

“Separation is the only solution!”⁶⁰

“I wish to live in my own Tamil land before I die!”⁶¹

This overwhelming belief by participants may be a signal that, for many, only the establishment of an independent Tamil state will safeguard Tamil culture and heritage. In short, these results demonstrated that respondents perceived that they were under an existential threat from the Sinhalese state. This existential plight is essential to understanding the militant nationalism which pervades the community. As noted above, the threat that the Sinhalese government poses to the Tamil national existence is overwhelmingly viewed to be dire. These results further the belief that the support of the LTTE by this group, ideologically or otherwise, may be because the LTTE is viewed as the only entity defending Tamils.

⁵⁷ A Chi Square calculation for gender on this issue failed to reveal any statistically significant results.

⁵⁸ Male, 18-25 years old, born in the Jaffna area.

⁵⁹ Male, 18-25 years old, born in Canada.

⁶⁰ Male, 56+ years old, born in the Jaffna area.

⁶¹ Female, 46-55 years old, born in the Colombo area.

The nationalist narrative that armed conflict is the only viable path to self-determination and survival is also strongly reflected in the popular belief that the LTTE, despite their brutality, are freedom fighters and not terrorists. Of all the individuals who answered the question about whether the LTTE should be considered freedom fighters ($n = 251$), an overwhelming majority (94.8 per cent) believed this to be the case. Interestingly, of those who viewed the LTTE as freedom fighters, an overwhelming majority (93.1 per cent) indicated that they also supported the LTTE for government.⁶² The implications of these two issues are clear. On the one hand, the results imply that, regardless of the LTTE being branded as a terrorist group by Sri Lanka and the international community, the great majority of respondents continued to believe in their cause and saw them as liberators. Second, it is conceivable that such overwhelming support would be followed by unwavering loyalty. Many Tamils have long lost faith with the Sri Lankan's government's ability to make peace with them and may see the government's renewed war efforts as being prosecuted on the premise that every Tamil killed is a gain (UTHR, 2008). Consequently, it is no surprise that many participants viewed the LTTE as freedom fighters, as exhibited by the following four quotes:

“Thanks for taking YOUR time to study us, Tamils, in Canada. Also, I strongly believe that if the President of Sri Lanka stops discriminating us and treats all civilians equally, Sri Lanka can also be a peaceful country. The LTTE are just there to help us get freedom, I don't know why the world is looking at them as terrorists. I just wish someone could change the government in Sri Lanka to one that treats everyone equally. The Sinhalese people are not the problem - IT'S THE GOVERNMENT!”⁶³

“I consider the Tigers as Freedom Fighters and whats going on in Sri Lanka is a war and not terrosims [sic] and counter terrorism”.⁶⁴

“I believe that the cause of freedom fighters is true, but there are few that take advantage and abuse there authority. As we have, there is no grantee that once LTTE gain's control, that all Tamil will be treated equally (which caused the war initially)”. [sic]⁶⁵

⁶² $\chi^2(1) = 83.690, p > 0.00$

⁶³ Female, 18-25 years old, born in the Jaffna area.

⁶⁴ Male, 36-45 years old, born in the Jaffna area.

⁶⁵ Male, 18-25 years old, born in the Jaffna area.

“The association of the word terrorism with the LTTE is in my view purely a propaganda by the State to demonize the justified freedom struggle of the Tamils. Its an effortless attempt by the State to separte [sic] Tamils from the LTTE. LTTE is a front line National Resistance Army which has consistently stood by the real aspirations of the Tamil People. Calling it a rebel group or terrorist group is an outcome of lack of knowledge and ill informed act. First step to resolving the war in Sri Lanka is to stop looking at it as fight against terrorism. Look at it as a war. War between two distinct group of people whose culture, language, historical lands are different”. [sic]⁶⁶

Given the participants’ strongly held views that the LTTE were there to represent them and their interests, it is no wonder that many would go to the extent of patronizing LTTE activities. This could be accomplished through organizations, such as the WTM, that have an appearance of legitimacy. Tamils all over the world believe the liberation struggle to be legitimate and will lend their support, ideologically or otherwise, to whoever is representing their interests ("Sri Lanka's failure to end conflict is dangerous: rights group," 2008; UTHR, 2008).

On the related issue of whether the LTTE should be considered a terrorist group, of those who responded (n = 179), only a very small proportion (7.8 per cent) reported that they felt the LTTE were a terrorist group. Interestingly, among those who felt that the LTTE were a terrorist group, nearly three-quarters (71.4 per cent) affirmed that they would not support the LTTE for government. Still, this suggested that a sizeable segment of people would support the LTTE for government even though they believed the LTTE constituted a terrorist group.⁶⁷

With the LTTE having so much support among respondents, it was conceivable that many would financially support the group or any of its organizations. However, what was not clear was whether financial support to the LTTE was coerced. This critical issue was very important to determine because of contradictory reports received from the media, human rights organizations, the police, and the intelligence community that Tamil

⁶⁶ Male, 26-35 years old, born in the Colombo district.

⁶⁷ $\chi^2(1) = 48.290, p > 0.00$

Canadians were under pressure and/or coerced by the LTTE to contribute financially towards an independent Tamil state. Of those participants who answered the question about financing (n = 233), a near majority (46.4 per cent) conceded that they did finance organizations that supported an independent Tamil state, such as WTM or LTTE. Interestingly, among that group, nearly two-thirds (63.9 per cent) also believed that the only solution to resolve the conflict in Sri Lanka was through an armed struggle.⁶⁸ Additionally, the overwhelming majority (91.7 per cent) of those who financially contributed were also of the opinion that the establishment of an independent Tamil state would bring an end to the armed conflict.⁶⁹ The following two quotes taken from the survey provided some insight as to the motives individuals had for contributing financially:

“As a student, I am unable to contribute financially for such causes. However, I would definitely contribute upon receiving stable income”. [sic]⁷⁰

“If the Israelis can collect money among Canadian Jewish society to support Israel fight against Palestine and Lebanon then why can't we Tamils do the same? Where is the balance in this act? Our (Tamil) liberators are not terrorists; they are freedom fighters with no or little help from the international community and trying to protect their people from genocide and other state crimes. I don't think the international community understands the real struggle of Tamils. If they do then they will never support the Sinhala regime with finances and ammunitions. (Even Canada provided blood stained Sinhala regime with latest and more powerful radar equipments recently).⁷¹ The bottom line is international community does not care about us Tamils because we have nothing to offer them in return other than our hard working skills and the forthrightness (meaning no oil or other stuff to make the capitalists happy)”.⁷²

Although nearly half of the respondents (46.4 per cent) admitted they financially contributed to organizations such as the WTM or the LTTE, it is speculated that many

⁶⁸ $\chi^2(1) = 6.506, p > 0.01$

⁶⁹ $\chi^2(4) = 10.298, p > 0.03$

⁷⁰ Female, 18-25 years old, born in the Jaffna area.

⁷¹ Raytheon Canada, which is owned by a U.S. corporation, did sell radar technology capable of monitoring small vessels used by the LTTE to the Sri Lankan government with the assistance of the Canadian Commercial Corporation (CCC). It is the author's opinion that even though Sri Lanka is considered a democracy, the CCC, which is a Crown agency that helps Canadian firms to market products overseas, should have exercised more due diligence before selling the equipment. This is because Canada is home to the largest Tamil Diaspora outside of Sri Lanka and, as such, it should be more sensitive to the current conflict there and not behave in a manner that can be misconstrued as taking sides (CCC, 2008; Rajakaruna, 2008).

⁷² Male, 26-35 years old, born in the Jaffna area.

more participants may give their financial support to the “cause”. This hypothesis is conceivable given the strong support for the LTTE reported by respondents. Furthermore, if the results of this survey were representative of the larger Canadian Tamil community, it would be reasonable to speculate that a majority of them financially support the LTTE. If, intelligence reports discussed earlier are to be believed that the LTTE’s fundraising activities in Canada generate several millions per year, then, it is safe to assume that the majority of Canadian Tamil households support the LTTE.

Interestingly, in an April 2009 National Post article, it was reported that many Canadian Tamils who came from the Colombo area, where both Tamils and Sinhalese live together, aspired to see a similar pluralism for the northern part of Sri Lanka (Kumar, Mohamad, & Benedict, 2009). However, the result of the survey for this paper indicated otherwise. For instance, although the number of participants from the Colombo area was small ($n = 13$), the majority (61.5 per cent) admitted they financed organizations that supported an independent Tamil state. Moreover, slightly more than four-fifths (84.6 per cent) viewed the LTTE as freedom fighters. The only notable difference between this Tamil group and those coming from the northern and eastern parts of Sri Lanka was that most individuals from the Colombo area (57.1 per cent) believed Tamils and Sinhalese could coexist within an island state. This was not the case with people from Jaffna ($n = 209$), in which only a small minority (28.2 per cent) believed in Tamils and Sinhalese coexistence within an island state. Participants from the Eastern Province ($n = 10$) who believed Sinhalese and Tamils could coexist were also in the minority (40.0 per cent). Although not statistically significant, this data may suggest that no matter where in Sri Lanka Tamil Canadians are from, they harbor strong nationalist sentiments and believe in the LTTE’s cause. As history has shown, Tamils from the Colombo area were the ones

that suffered the most casualties during the 1983 anti-Tamil pogrom. Given this, it is not surprising that expatriates from that area support the LTTE. Nonetheless, since they coexisted with Sinhalese at one time, it may not be unexpected that the majority believed Tamil and Sinhalese could coexist again within an island state. It is also interesting to note that none of the participants who answered that they contributed financially towards an independent Tamil state indicated that they were coerced. All respondents conceded that they contributed on a voluntary basis.⁷³ Still, among them, a minority (10.0 per cent) indicated that they felt obliged to financially contribute. This sentiment of obligation is particularly well encapsulated in one of the respondents' quote:

"I cannot forget who I am and where I came from. Therefore, it is my responsibility [sic] to support my nation".⁷⁴

Another critical issue was whether participants financially contributed to any other causes in Sri Lanka. To this end, of the individuals who answered this question ($n = 239$), the majority (56.5 per cent) conceded that they did. Among the multiple causes Canadian Tamils supported, 28% donated to the rehabilitation of Internally Displaced People (IDP's), 22.9% donated to building villages, 30.7% donated to education, 11.9% donated to culture and arts, and 29.8% sent money to family members.⁷⁵ What is interesting about these results is that when combined, the total number of participants who made financial contributions to any causes (i.e. contributed to organizations that support an independent Tamil state, rehabilitation of IDP's, building villages, education, culture, and family support), amounted to nearly three-quarters (71.1 per cent) of participants. While these findings might provide the researcher with some insight as to what activities are funded by the participants, it is open to speculation whether the people

⁷³ $\chi^2(4) = 9.537, p > 0.049$

⁷⁴ Male, 26-35 years old, born in the Jaffna area.

⁷⁵ Note that participants could elect has many choices as applicable. Therefore the total exceeds 100%.

who contributed to the rehabilitation of IDP's, building villages, education, culture, and family, knew, with any degree of certainty, that their funds were used for their intended purpose. As seen with the example of the WTM earlier, funds collected for one specific purpose (i.e. cultural event) could be diverted and used to support the LTTE. Therefore, it is possible that given the sophisticated set-up of the LTTE in Canada, through organizations such as the WTM, a portion of money raised for any purpose could end up in the coffers of the LTTE.

In Canada, particularly since the first quarter of 2008, efforts by the police to disrupt LTTE financing operations have been on the rise. In March 2008, a Greater Toronto Area LTTE collector was arrested near Vancouver, British Columbia and charged with terrorist financing (Matas & Freeze, 2008). In June 2008, the WTM was placed on Canada's list of banned terrorist entities and all its bank accounts and buildings were restrained (Davermann, 2008; Public Safety Canada, 2008). These actions by police against the LTTE and the WTM demonstrated Canada's efforts to fulfill its international commitments to combat terrorist financing. Moreover, these efforts signaled that Canada was no longer willing to be perceived as a haven for terrorist financing or willing to tolerate these types of activities.

Based on the high percentage of participants who viewed the LTTE as freedom fighters (94.8 per cent), one could wonder whether the actions of the police to target LTTE operatives in Canada would be considered favorably by respondents. Not surprisingly, among respondents (n = 219), a large proportion (82.6 per cent) did not agree with the police actions to target the LTTE. This suggests that the police are not likely to get the full cooperation of the Tamil community in combating terrorist financing in relation to LTTE operations in Canada. In spite of this, it is paramount that the police

continue to seek strategies to develop the trust of the Canadian Tamil Diaspora in an effort to stem the flow of funds dedicated to the LTTE.

4.2 Chapter Summary

In conclusion, a preliminary analysis of the results showed that Tamil Canadians held very strong nationalistic sentiments towards their motherland. Furthermore, the results indicated that respondents were passionate and well-informed about current issues in Sri Lanka. Of utmost importance, they strongly supported the LTTE which they viewed as freedom fighters, not terrorists. This latter finding was not surprising when one considers the long history of conflict between the Sri Lankan government and the Tamil people. The obvious disregard for Tamil human rights since the renewal of hostilities with the LTTE is not likely to increase the government's popularity vis-à-vis Tamils.

The abiding loyalty to the motherland by the Canadian Tamil Diaspora and the ideology shared with the LTTE will ensure that the Diaspora will continue to financially support the LTTE regardless of how the latter is viewed by the rest of the world. Although a substantial number of survey participants reported that they financially contributed to organizations supporting an independent Tamil state, the probability is that a larger proportion of Tamil Canadians finance the LTTE. Lastly, since a large proportion (82.6 per cent) of participants indicated that they did not support Canadian police endeavors against the LTTE, it is imperative that the police seek new strategies to gain the trust of the Tamil community if Diaspora funding to the LTTE is to be effectively thwarted. This will be a daunting task because the Canadian Tamil Diaspora will likely perceive cooperation with the police as a set-back, with the ultimate result benefiting the Sri Lanka government's agenda to the detriment of Tamil culture, language, and heritage.

In the following section, the role of Canada and the effect it could have on developing a solution to the conflict will be discussed.

Chapter Five: Achieving Peace in Sri Lanka

5.0 The Role of Canada

According to the Government of Canada's website, Canada and Sri Lanka have strong bilateral ties as a result of their membership within the Commonwealth (Government of Canada, 2008). In spite of this, Canada remains deeply concerned over the 2008 ceasefire breakdown and the gross violation of human rights by the Sri Lankan government paramilitary and security forces, as well as by the LTTE (Government of Canada, 2008). Canada's main foreign policy objectives in Sri Lanka are to help the Sri Lankan Government and the LTTE put an end to the conflict and find a viable political solution (Government of Canada, 2008). Canada's position is that there can be no military solution to the conflict, and that some form of political power-sharing within a united country may be suitable. However, Canada's genuine interests in resolving the conflict is questioned by some Canadian Tamils who see Canada's efforts as being one-sided, especially since Canada banned both the LTTE and the WTM (Bell, 2008d; Offman, 2008). However, through the Canadian International Development Agency (CIDA), Canada disbursed over \$29.3 million in Sri Lanka during the fiscal year 2006-2007 (CIDA, 2008a, 2008b). Although there is no doubt that many on-going projects, such as those associated to post-tsunami reconstruction, humanitarian aid, support for language rights, and gender equality have greatly helped Sri Lankans,⁷⁶ a perception seems to exist that Canada is not doing enough politically to bring peace to the region. Nonetheless, Canada has played an important role for peace in Sri Lanka. For example, in 2002, Canada sent a team of experts to Sri Lanka in order to convince the warring

⁷⁶ Although Sri Lankans have benefitted from Canadian aid, Canadian Tamil Congress spokesperson David Poopalapillai voiced that little of that aid had been given to the island's Tamil areas ("Peace in Sri Lanka sought at Scarborough rally," 2007).

factions to adopt federalism as part of a Norway brokered Cease-Fire Agreement between the government and the LTTE (Deverell, 2003). Although federalism was not adopted, Canada's efforts contributed to the general Cease-Fire Agreement.

Unfortunately, with the Sri Lankan government's official withdrawal from the peace process in January 2008, the possibility of having Sri Lanka adopt federalism may have suffered a temporary set-back (A. Jeyaraj, 2007). This is especially true since the government has undertaken a new military offensive in the north against the LTTE (Farrell, 2007). Since the spring of 2008, the Sri Lankan Army has made significant advances in formerly held LTTE controlled areas and captured many of its strongholds (Venugopalan, 2008). In spite of the military gains by the government against the LTTE, the situation is alleged to have created a humanitarian crisis ("Sri Lanka: ICRC maintains support for hospital hit by shelling," 2009). For example, as of February 16, 2009, it was estimated that 250,000 civilians were trapped in a shrinking sliver of land approximately 139 kilometers square in size: an area (north east)⁷⁷ that was still controlled by the LTTE (Nessman, 2009; Sri Lanka, 2009).

Although the government of Sri Lanka has created safe areas for Tamil civilians to seek refuge, many people distrust these areas and believe, that once they have crossed over, they will become vulnerable to a process of detention (J. Perera, 2009a; Tremonti, 2009, February 13).⁷⁸ The woes of the Tamil civilians are further aggravated by the attitude of the Sri Lankan government, who in a statement voiced the position that those who did not leave LTTE-controlled areas would be deemed LTTE members or their

⁷⁷ According to Sri Lanka's Defense website, visited on February 16, 2009, the last stronghold of the LTTE is located in the Mullaitivu District and is approximately 139 kilometers square in size (Sri Lanka, 2009).

⁷⁸ Many Tamil civilians will not cross over into Sri Lankan safe areas because they received mandatory LTTE training as civilian militias and, as such, believe they will be imprisoned once in government territory. Others preferred to remain within the LTTE-controlled area because they have family members with the LTTE (J. Perera, 2009a; Tremonti, 2009, February 13).

supporters (J. Perera, 2009a). The Sri Lankan Army's zeal to seek and destroy the last LTTE operatives has been so great that it has indiscriminately bombed any areas where it suspects LTTE cadres to be hiding (J. Perera, 2009b). It would appear that the Sri Lankan government's war on terrorism has breached the very tenets of democracy and humanitarian laws, in that hospitals have been targeted, and Tamil civilians have been killed or severely injured by shelling (Arulpragasam, 2009; "Sri Lanka: Vanni hospital shelled," 2009). The LTTE has used those same civilians as human shields and, has reportedly fired at people fleeing to the safe zones (Jayasinghe, 2009). Although the Sri Lankan government vehemently denies that a humanitarian crisis is taking place in the north, the International Committee of the Red Cross, which is the only international organization with on-site teams in the war zone, continues to report much human suffering and devastation among Tamil civilians ("Sri Lanka: ICRC evacuates more sick and wounded from the Vanni," 2009; "Sri Lanka: ICRC evacuates over 240 wounded and sick from the Vanni by sea," 2009).⁷⁹

From the moment the Sri Lankan government withdrew from the Cease-Fire Agreement in early 2008, Canada expressed concerns that this gesture would make it more difficult for peace to be restored and that violence on both sides would likely increase ("UN, US, Canada, and Norway blast Sri Lanka on CFA withdrawal," 2008). With many Tamil civilians in the north being caught between the two warring factions, Canada's worst fears may come true. It is now time for Canada to take a more aggressive stance in the conflict between the LTTE and the Sri Lankan government. As home to the

⁷⁹ The organization Reporters without Borders has urged the Sri Lankan government to allow Sri Lankan and foreign journalists a free access to the north to report on the situation. It has also called for an end to intimidation and attacks on news media that refused to support the government and a military solution. Government critic and newspaper editor Lasantha Wickrematunge was murdered on January 8, 2009 by suspected government supporters (BBC News, 2009; Coles, 2009, January 16; "Government urged to let press visit north freely," 2009).

largest Tamil Diaspora outside Sri Lanka, Canada has an obligation to prevent a full scale humanitarian crisis and call for some sort of ceasefire. During a Special Parliamentary session on February 4, 2009, Members of Parliament proposed a sequenced framework for conflict resolution (Gamage, 2009a). This proposal contained six points that Members of Parliament believed would propel the warring factions towards an end to the conflict. The proposal included: an immediate ceasefire with a framework for a sustained and enduring end to hostilities; a return to the negotiating table; the Sri Lankan government must allow unimpeded access to international aid workers; domestic and foreign reporters must be given unrestricted access to the conflict zone; the Sri Lankan government must cease and desist targeting civilians in protected zones; and for Canada to support the call for the appointment of a United Nations special envoy to monitor and guard against abuses and to assist the peace process (Canada, 2009).

Among the above recommendations, Conservative government ministers who participated in the debate were unanimous that a call to a ceasefire and a return to the negotiating table were essential (Gamage, 2009b). Although pushing for a ceasefire and a return to negotiation seem the right thing to do in light of the alleged humanitarian crisis, Canada must be careful. According to Tamil politician and leader of the Tamil United Liberation Front (TULF) Veerasingham Anandasangaree,⁸⁰ there can be no truce with the LTTE. Anandasangaree added that entering into a ceasefire and negotiations with the LTTE would be counter-productive because they would use the opportunity to rearm themselves and become a more powerful entity (S. Perera, 2009). Anandasangaree's views are unquestionably shared by Sri Lanka's government, which through its High

⁸⁰ Veerasingham Anandasangaree is a former teacher and lawyer who became the political leader of the Tamil United Liberation Front (TULF) in 2002. In 2006, Anandasangaree was named as the winner of the UNESCO-Mandajeet Singh Prize for the Promotion of Tolerance and Non-Violence. Anandasangaree is an outspoken critic of the LTTE who advocates a federal solution for Sri Lanka's ethnic problems. Ref: (Veerasingham Anandasangaree, 2009).

Commissioner to Canada, Daya Perera, shared concerns that history had shown there could be no guarantee the LTTE would adhere to any promises if the government declared a ceasefire ("Will Canada Intervene? Sri Lankan Envoy Asks Sarcastically," 2009).

Despite the inherent risk that the LTTE would take advantage of any truce and rearm themselves, Canada must still appeal to the Sri Lankan government to seek, at the very least, a temporary ceasefire to allow Tamils caught in the middle to come to areas of safety. But, having Canada push for the Sri Lankan government to negotiate with the LTTE is a moot point because the Sri Lankan government and Tamil leaders, like Anandasangaree, do not believe the LTTE represent all the Sri Lankan Tamils (S. Perera, 2009; "Will Canada Intervene? Sri Lankan Envoy Asks Sarcastically," 2009). Whether the LTTE represent all the Tamils is irrelevant. At the time of the writing of this paper (April 2009), the LTTE is facing imminent military defeat. As such, it is imperative that the government reaches some agreement with the LTTE as they could still manage to return to a guerrilla campaign and terrify Sri Lanka for years to come (Jayasekara, 2009; Venugopalan, 2009). The prowess of two Black Air Tiger suicide pilots in February 2009 that managed to leave an army-surrounded area in northern Sri Lanka and drop bombs in Colombo before being shot down is a reminder that even when cornered, the LTTE is a formidable adversary that should not be underestimated (Sengupta & McDonald, 2009).

Given all the intricacies of the conflict and recognizing that Sri Lanka has a problem with Tamil rights, Canada may wish to remind the Sri Lankan government that some kind of political solution that gives acceptance to the valid claims of Tamils to some form of autonomy within Sri Lanka (i.e. federalism) would be desirable (J. Perera, 2009b). In a recent interview with the Sri Lankan newspaper the Daily Mirror on the

subject of Sri Lanka, Professor Noam Chomsky commented that people who fought with or supported the LTTE should be provided with a form of amnesty. Furthermore, Chomsky suggested the establishment of a truth commission that would bring to light atrocities and crimes committed by both sides. Such commission, which would encompass investigative functions, but not have punitive powers, would be, in his opinion, a step towards reconciliation (J. Perera, 2009b).⁸¹ Chomsky's suggestions make sense and are far from being unrealistic. For example, in the past, the Sri Lankan government has demonstrated its flexibility in accommodating and not prosecuting members of the LTTE, provided they were willing to renounce LTTE objectives and join mainstream society (J. Perera, 2009c). Former LTTE militant Colonel Karuna's situation is a case in point.⁸² As such, Canada should embrace Chomsky's perspectives, but not before calling for an unconditional surrender by the LTTE. This would show that Canada supports the war on terrorism that Sri Lanka is leading. However, once an unconditional surrender is secured, it would be paramount for Sri Lanka to honour its amnesty for LTTE fighters and supporters.

5.1 Canada's Commitment to Disrupting LTTE Terrorist Financing

When it comes to disrupting the flow of funds believed to be leaving Canada and ending up in LTTE coffers, Canada is in a delicate situation. First, Canada is committed internationally to fighting terrorist financing. This leaves Canada little choice but to act decisively when it can be established that funds originating from Canada are used to

⁸¹ Professor Noam Chomsky is well-known in social science circles for his work on peace and criticism of the Vietnam war (Chomsky, 2009).

⁸² Colonel Karuna, a former top LTTE commander who broke away from the group in 2004, is now a minister within the Sri Lankan government (J. Perera, 2009c).

support acts of terrorism. Second, Canada has a responsibility to listen to its Tamil constituents' concerns over what is happening in Sri Lanka and do what is possible to broker a peaceful resolution to the conflict. Third, Canada also has a responsibility towards the democratically elected government of Sri Lanka, whereby the maintenance of diplomatic ties, the respect of its sovereignty, the support of good governance, human rights, economic development, and the well-being of the citizens of that country constitute an important aspect of Canada's foreign policy (CIDA., 2008). Given this, Canada must walk a fine line in trying to balance all its obligations while remaining allegiant to its tradition and reputation as a peacekeeper. For instance, Canada's difficult situation was evident after it followed suit with the United States, the United Kingdom, and the European Union in 2006 when it placed the LTTE as a listed terrorist entity. Then, in June 2008, Tamil Canadians were shocked when they learned Canada had added the WTM to that same list. This prompted thousands of Tamil Canadians to demonstrate their discontent with the government's decision while Sri Lanka and the international community welcomed Canada's actions (Bell, 2008e; Goldstein, 2008; Ministry of Foreign Affairs Sri Lanka, 2008).

Obviously, being pulled in opposite directions is problematic for Canada. Through the survey conducted for this major paper, nearly 95% of participants considered the LTTE as freedoms fighters, and a large majority (82.6 per cent) disagreed with any type of police actions taken against the organization. If it were assumed that the data obtained through the research was representative of Tamil Canadians' opinion, disrupting LTTE's fundraising efforts in Canada would likely be very unpopular amongst most Tamils.

Given this, what could Canada do to appease all sides and meet its international obligations? Based on the survey results, the answer is likely to be unpopular with many Canadian Tamils. Canada has no choice but ensure that the LTTE have no opportunity to raise funds in Canada. It would be political suicide for the Canadian government to delist the LTTE and the WTM only to demonstrate support for its Tamil constituents. Canada is fully engaged in fighting terrorism and has signed and ratified many international conventions to that effect (United Nations, 1999, 2001). Given the tactics used by the LTTE, such as suicide bombings, removing this organization from the terror list would not be applauded by most Canadians, or other countries, such as the United States, the United Kingdom, Spain, and others that have suffered from terrorism and are waging a war against it.

However, as discussed above, the plight of the Tamils is a genuine one. They have been victims of discrimination and continuing human rights abuses. Poverty in Tamil areas of Sri Lanka is still very much entrenched. Despite this, Canada is not in a position to support secession of Sri Lanka and the promotion of an independent Tamil state because Sri Lanka is still a democracy and, as such, Canada must respect its desire not to divide.

In addition, until now, the success police have had in disrupting LTTE financing in Canada has been limited. Both Project OSALUKI and Project CRIBLE are examples of this. Both investigations were monumental in their scope, lasted many years, and cost many man-hours. In the end, there is no doubt that these projects have hurt the ability of the LTTE to raise funds in Canada, albeit they have not resulted in a complete cessation of this practice. It is, therefore, incumbent upon Canada to step up its efforts to combat LTTE terrorist financing if it wants to demonstrate to Sri Lanka that it has taken all

possible measures to prevent Canadian funds from being used to fuel the war. Only then will Canada have more influence in its appeal to Sri Lanka to provide amnesty to LTTE members, address the problem of Tamil rights, and consider federalism. For their part, Canadian Tamils should support the Government of Canada and safeguard against inadvertently financing the LTTE.

5.2 Chapter Summary and Conclusion

Throughout this research, there has been clear evidence to support the legitimacy of the Tamil quest for a homeland, either within a unified Sri Lanka or outside of it, and the recognition of the Tamil people as a distinct society. Nonetheless, Canada remains deeply concerned about the Sri Lankan government's pullout from the Cease-Fire Agreement and the ensuing humanitarian crisis that resulted from the renewal of hostilities between the LTTE and the state. In the final stages of writing this major paper, the government's military action against the LTTE escalated resulting in the killing of LTTE leader Velupillai Prabhakaran and two of his top commanders (Dyer, 2009; Jane's Terrorism and Insurgency Centre, 2009; Wax, 2009). With most of the LTTE leadership eliminated, the Sri Lankan government finally won its military battle against the LTTE. However, despite the euphoria over the military victory and the end of the conventional war, the fight against terrorism is far from over (Dyer, 2009).

Tamil civilians trapped within the diminishing perimeters held by the last LTTE fighters, and who were given the choice of serving as human shields or being shot by LTTE, may now be disillusioned about the true aspirations of the LTTE. However, this is unlikely the case for many of the Tamils living in the Canadian Diaspora, where LTTE support networks remain relatively intact and the goal of an independent Tamil state is still very much alive (Dyer, 2009; Scott, 2009). As such, Canada must be prudent in its

appeal to the Sri Lankan government to negotiate with whomever becomes the new representatives of the LTTE because Sri Lankan officials and TULF Leader Anandasangaree believe the LTTE no longer represent all Tamils. Regardless, some sort of amnesty for LTTE cadres and addressing Tamil grievances will be necessary if peace is to be restored and sustained on the island (Scott, 2009). Failing to do so would likely result in the LTTE reverting back to guerrilla warfare and terrorizing Sri Lanka for years to come.

Canada's role in the forthcoming months and years will be paramount. First, Canada must remain allied with other countries such as Germany, France, and Britain to urge the Sri Lankan government to give full and unhindered access to humanitarian aid for the thousands of Tamil civilians still interned in refugee camps (Anandasangaree, 2009). Second, Canada has no choice but to ensure that the LTTE fundraising activities in Canada are thwarted. Allowing the Canadian Tamil Diaspora to raise funds for the LTTE could jeopardize any hope of a lasting peaceful settlement between Tamils and Sinhalese in Sri Lanka (Dyer, 2009).

Despite the fact that the great majority of Canadian Tamil Diaspora members consider the LTTE freedom fighters, rather than terrorists, Tamil Canadians may have no option but to recognize that their financial support to this group must cease ("Ready for talks if LTTE down weapons first - President " 2008). However, Tamil Canadians can make a difference by unifying their voice with that of Canada to continue advocating some sort of federal arrangements for Sri Lanka to adopt. With Sri Lanka adamant about not permitting cessation, federalism may be the only reasonable and viable option towards obtaining and maintaining peace in Sri Lanka.

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Welcome to the UCFV Tamil Canadian Nationalism Survey

This survey is strictly for Tamils 18 years of age and older that are living in Canada and/or are Tamil Canadians. Greetings, I am a Master of Arts student at the University College of the Fraser Valley, located in British Columbia. I am currently completing my MA thesis on Tamil Nationalism in Canada, and I am asking for your assistance in completing a brief on-line survey. The survey will take less than 5 minutes to answer and is confidential and anonymous. You may stop at anytime without consequence. In order to maintain the integrity of the data, please fill out the survey only once per person. It is my belief that the results of the survey will assist in creating a better awareness among the Canadian public of the plight and needs of Tamils living in Canada. Consequently, may I ask that you promote this site to other Tamil Canadians you know.

If you have any questions regarding the survey, or would like additional information to assist you in reaching a decision about participation, please contact my senior thesis supervisor, Dr. Plecas at 604-854-4553. You can also contact Mr. Yvon Dandurand, UCFV's Associate Vice-President, Research and Graduate Studies at 604-864-4654 or email him at Yvon.Dandurand@ucfv.ca. Thank you for your assistance.

1.

General Questions

What is your gender?

- ☐ Male
- ☐ Female

2.

What is your age?

- ☐ 18-25
- ☐ 26-35
- ☐ 36-45
- ☐ 46-55
- ☐ 56 and over

3.

What is your marital status?

- ☐ Single
- ☐ In a long-term relationship but living apart
- ☐ Married
- ☐ Common-law
- ☐ Separated
- ☐ Divorced
- ☐ Widowed
- ☐ Other

4.

Where were you born?

- ☐ Sri Lanka
- ☐ Canada
- ☐ India
- ☐ Other

5.

Do you still have immediate family members (i.e. mother, brothers, sisters, etc.) in Sri Lanka?

- ☐ No
- ☐ Yes

6.

If you were born outside of Canada, what level of education did you complete before entering Canada?

- ☐ None
- ☐ Some elementary school
- ☐ Completed elementary school
- ☐ Some high school
- ☐ Completed high school
- ☐ Some university
- ☐ Graduated from university (undergraduate degree)
- ☐ Some trade school
- ☐ Completed trade school
- ☐ Completed graduate degree

7.

If you were born in Canada, what level of education have you completed?

- ☐ Completed elementary school
- ☐ Some high school
- ☐ Completed high school
- ☐ Some university
- ☐ Graduated from university (undergraduate degree)
- ☐ Some trade school
- ☐ Completed trade school
- ☐ Completed graduate degree

8.

If you were born in Sri Lanka, what region/area are you from?

- ☐ Jaffna area and Northern Province
- ☐ Eastern Province
- ☐ Colombo district
- ☐ Other

9.

Are you considered a:

- ☐ Ceylon Tamil
- ☐ Indian Tamil (Plantation Tamil)
- ☐ Tamil Muslim
- ☐ Tamil Nadu native (From India's Tamil Nadu state)
- ☐ Other

10.

What languages do you speak? (Check all that apply)

- ☐ Tamil
- ☐ Sinhala
- ☐ English
- ☐ French
- ☐ Other

11.

What year did you emigrate to Canada?

- ☐ 1960 or before
- ☐ 1961-1980
- ☐ 1981-1990
- ☐ 1991-Present
- ☐ I was born in Canada

12.

If you were not born in Canada, how did you come to Canada?

- ☐ As a refugee
- ☐ I was sponsored
- ☐ Other

13.

In which Canadian province or territory do you currently reside?

- ☐ Ontario
- ☐ Quebec
- ☐ British Columbia
- ☐ Other

14.

In a typical year, what is your gross income?

- ☐ \$24,999 or less
- ☐ \$25,000-\$49,999
- ☐ \$50,000-\$74,999
- ☐ \$75,000-\$99,999
- ☐ \$100,000-\$124,999

- ☐ \$125,000-\$149,000
- ☐ \$150,000-\$174,999
- ☐ \$175,000-\$199,000
- ☐ \$200,000-\$299,000
- ☐ \$300,000-\$399,000
- ☐ \$400,000-\$499,000
- ☐ \$500,000+

15.

Sri Lanka's Politics**(Questions 15-18). Please indicate how much you agree with the following statements:**

- | | Strongly Agree | Agree | Disagree | Strongly Disagree | |
|---|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| The Tamils and the Sinhalese can coexist within an island state. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | |
| 16. | | Strongly Agree | Agree | Disagree | Strongly Disagree |
| The Tamils and the Sinhalese can reach a negotiated settlement for the establishment of autonomous Tamil Provinces within a United Sri Lanka. | | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 17. | | Strongly Agree | Agree | Disagree | Strongly Disagree |
| The only solution to resolve the ethnic conflict in Sri Lanka is through an armed struggle. | | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 18. | | Strongly Agree | Agree | Disagree | Strongly Disagree |
| The establishment of a "Tamil Eelam" will bring an end to the armed conflict in Sri Lanka. | | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

19.

Sri Lanka and Tamil Eelam

Would you consider permanently moving to Sri Lanka if peace were established?

- ☐ No
- ☐ Yes
- ☐ Possibly

20.

Please select the political structure you would like to have if Tamil Eelam were obtained:

- ☐ a single-party system (e.g. communism)
- ☐ a multi-party system
- ☐ Other

21.

(Questions 21-22) Please indicated how much you agree with the following statements:

The Liberation of Tigers of Tamil Eelam are:

	Strongly Agree	Agree	Disagree	Strongly Disagree
Freedoms fighters	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
A rebel group	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
A terrorist group	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

22.

In a free and independent Tamil state, I would support the Peace Secretariat of the Liberation Tigers of Tamil Eelam for government.

Strongly Agree	Agree	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

23.

Do you financially contribute to any organizations that support a free and independent Tamil State?

- ☐ No
☐ Yes

24.

You have answered "Yes" to the previous question. Please specify how you financially contribute (select all the responses that apply).

- ☐ I contribute voluntarily
☐ I feel obliged to contribute
☐ I am forced to contribute
☐ Other

25.

Do you financially contribute to any other cause in Sri Lanka?

- ☐ No
☐ Yes

26.

For what cause(s) do you contribute? (Check all that apply)

- ☐ Rehabilitation of IDP (Internally Displaced People)
☐ Building villages
☐ Education and facilities
☐ Culture (Arts, drama, etc.)
☐ Family support

27.

Do you consider yourself to be distinct from a native from Tamil Nadu?

- ☐ No
☐ Yes

28. Please indicate how much you agree with the following statement:

Strongly	Agree	Disagree	Strongly
----------	-------	----------	----------

Sri Lanka's Northern and Eastern Tamil states should join the Indian Federation.

Agree

☐
☐
☐

Disagree

☐

29.

**The next two questions relate to media events that recently took place in Canada.
Please indicated how much you agree with the following statements:**

I support the police's arrest of a Liberation Tigers of Tamil Eelam money collector on the charges of Terrorism Financing, in Vancouver in March 2008?

☐ Strongly Disagree

☐ Disagree

☐ Agree

☐ Strongly Agree

30.

In general, I concur with the police's actions to target LTTE operatives in Canada.

☐ Strongly Disagree

☐ Disagree

☐ Agree

☐ Strongly Agree

31.

Additional Comments

How did you find out about my survey? (Please check all that apply)

☐ From Canadian Tamil newspapers

☐ From Canadian Tamil websites

☐ From a community leader

☐ I received an e-mail

☐ From conversation with friends

☐ Other

32.

Do you have any additional comments?

33.

Did you receive any assistance in completing this survey?

☐ No

☐ Yes

34.

How was the assistance given to you? (Check all that apply).

- ☐ Someone read the questions and/or answers for me
- ☐ Someone read and answered the survey for me
- ☐ Someone translated the questions and/or answers for me
- ☐ Someone helped me with the on-line format
- ☐ Other

35.

Who assisted you?

- ☐ Family
- ☐ Friend
- ☐ Other

36.

Thank you for your time in completing this survey

Appendix B—Participant Statistics: Univariate Data

Q.1—What is your Gender? (n=272)		
Male	199	73.2%
Female	73	26.8%

Q.2—What is your age? (n=272)		
18-25	41	15.1%
26-35	64	23.5%
36-45	75	27.6%
46-55	51	18.7%
56 and over	41	15.1%

Q.3—What is your marital status? (n=272)		
Single	67	24.6%
In a long-term relationship but living apart	6	2.2%
Married	187	68.7
Common-law	4	1.5
Separated	1	0.4%
Divorced	3	1.1%
Widowed	4	1.5%
Other	0	0.00%

Q.4—Do you still have immediate family members in Sri Lanka? (n=3)		
No	1	33.3%
Yes	2	66.7%

Q.5—Where were you born? (n=270)		
Sri Lanka	249	92.2%
Canada	12	4.4%
India	1	0.4%
Other	8	3.0%

Q.6—If you were born outside of Canada, what level of education did you complete before entering Canada? (n=255)		
None	13	5.1%
Some elementary school	24	9.4%
Completed elementary school	11	4.3%
Some high school	25	9.8%
Completed high school	75	29.4%
Some university	16	6.3%
Graduated from university (undergraduate degree)	46	18.0%
Some trade school	6	2.4%
Completed trade school	12	4.7%
Completed graduate degree	27	10.6%

Univariate Data (Cont.)

Q.7—If you were born in Canada, what level of education did you complete? (n=12)		
Completed elementary school	0	0.0%
Some high school	0	0.0%
Completed high school	1	8.3%
Some university	5	41.7%
Graduated from university (undergraduate degree)	3	25.0%
Some trade school	0	0.0%
Completed trade school	0	0.0%
Completed graduate degree	3	25.0%

Q.8—If you were born in Sri Lanka, what region/area are you from? (n=255)		
Jaffna area and Northern Province	218	85.5%
Eastern Province	10	3.9%
Colombo district	15	5.9%
Other	12	4.7%

Q.9—Are you considered a: (n=271)		
Ceylon Tamil	240	88.5%
Indian Tamil (Plantation Tamil)	4	1.5%
Tamil Muslim	0	0.00%
Tamil Nadu native (From India's Tamil Nadu state)	4	1.5%
Other	23	8.5%

Q.10—What languages do you speak? (Check all that apply) (n=269)⁸³		
Tamil	269	100%
Sinhala	74	27.5%
English	229	85.1%
French	18	6.0%
Other	6	2.0%

Q.11—What year did you immigrate to Canada? (n=270)		
1960 or before	2	0.7%
1961-1980	2	0.7%
1981-1990	111	41.1%
1991-Present	143	53.0%
I was born in Canada	12	4.4%

Q.12—If you were not born in Canada, how did you come to Canada? (n=252)		
As a refugee	135	53.6%
I was sponsored	88	34.9%
Other	29	11.5%

⁸³ Please note that a total of 269 participants answered this question and all spoke Tamil. Since participants could elect other languages, individual percentages were calculated using 269 as a base.

Univariate Data (Cont.)

Q.13—In which Canadian province or territory do you currently reside? (n=263)		
Ontario	250	95.1%
Quebec	1	0.4%
British Columbia	2	0.8%
Other	10	3.8%

Q.14—In a typical year, what is your gross income? (n=258)		
\$24,999 or less	55	21.3%
\$25,000-\$49,999	72	27.9%
\$50,000-\$74,999	70	27.1%
\$75,000-\$99,999	32	12.4%
\$100,000-\$124,999	13	5.0%
\$125,000-\$149,000	6	2.3%
\$150,000-\$174,999	2	0.8%
\$175,000-\$199,000	1	0.4%
\$200,000-\$299,000	2	0.8%
\$300,000-\$399,000	0	0.00%
\$400,000-\$499,000	2	0.8%
\$500,000+	3	1.2%

Q.15—The Tamils and the Sinhalese can coexist within an island state. (n=259)		
Strongly Agree	21	8.1%
Agree	61	23.6%
Disagree	55	21.2%
Strongly Disagree	122	47.1%

Q.16—The Tamils and the Sinhalese can reach a negotiated settlement for the establishment of autonomous Tamil Provinces within a United Sri Lanka. (n=258)		
Strongly Agree	36	14.0%
Agree	64	24.8%
Disagree	53	20.5%
Strongly Disagree	105	40.7%

Q.17—The only solution to resolve the ethnic conflict in Sri Lanka is through an armed struggle. (n=258)		
Strongly Agree	77	29.9%
Agree	63	24.4%
Disagree	71	27.5%
Strongly Disagree	47	18.2%

Q.18—The establishment of a Tamil Eelam will bring an end to the armed conflict in Sri Lanka. (n=258)		
Strongly Agree	167	64.7%
Agree	48	18.6%
Disagree	26	10.1%
Strongly Disagree	17	6.6%

Univariate Data (Cont.)

Q.19—Would you consider permanently moving to Sri Lanka if peace were established? (n=259)		
No	63	24.3%
Yes	75	29.0%
Possibly	121	46.7%

Q.20—Please select the political structure you would like to have if Tamil Eelam were obtained: (n=254)		
a single-party system (e.g. communism)	32	12.6%
a multi-party system	193	76.0%
Other	29	11.4%

Q.21—The Liberation of Tigers of Tamil Eelam are: Freedom Fighters (n=251)		
Strongly Agree	212	84.5%
Agree	26	10.4%
Disagree	5	1.90%
Strongly Disagree	8	3.2%

A Rebel Group (n=180)		
Strongly Agree	35	19.5%
Agree	47	26.1%
Disagree	29	16.1%
Strongly Disagree	69	38.3%

A Terrorist Group (n=179)		
Strongly Agree	5	2.8%
Agree	9	5.0%
Disagree	17	9.5%
Strongly Disagree	148	82.7%

Q.22—In a free and independent Tamil state, I would support the Peace Secretariat of the Liberation Tigers of Tamil Eelam for government (n=248)		
Strongly Agree	166	66.9%
Agree	53	21.4%
Disagree	22	8.9%
Strongly Disagree	7	2.8%

Q.23—Do you financially contribute to any organizations that support a free and independent Tamil State? (n=233)		
No	125	53.7%
Yes	108	46.3%

Univariate Data (Cont.)

Q.24—You have answered [Yes] to the previous question. Please specify how you financially contribute—select all the responses that apply. (n=128)⁸⁴		
I contribute voluntarily	99	77.3%
I feel obliged to contribute	23	18.0%
I am forced to contribute	0	0.0%
Other	6	4.7%

Q.25—Do you financially contribute to any other cause in Sri Lanka? (n=239)		
No	104	43.5%
Yes	135	56.5%

Q.26—For what cause(s) do you contribute? (Check all that apply) (n=135)⁸⁵		
Rehabilitation of IDP (Internally Displaced People)	92	68.1%
Building villages	73	54.0%
Education and facilities	98	72.6%
Culture (Arts, drama, etc.)	38	28.1%
Family support	95	70.4%

Q.27—Do you consider yourself to be distinct from a native from Tamil Nadu? (n=239)		
No	107	44.8%
Yes	132	55.2%

Q.28—Please indicate how much you agree with the following statement:		
Sri Lanka's Northern and Eastern Tamil states should join the Indian Federation. (n=236)		
Strongly Agree	12	5.1%
Agree	22	9.3%
Disagree	58	24.6%
Strongly Disagree	144	61.0%

Q.29—I support the police's arrest of a Liberation Tigers of Tamil Eelam money collector on the charges of Terrorist financing, in Vancouver in March 2008? (n=222)		
Strongly Disagree	122	55.0%
Disagree	61	27.5%
Agree	18	8.1%
Strongly Agree	21	9.4%

⁸⁴ Please note that the number of respondents who answered this question is 108. A number of those who answered "I feel obliged to contribute" also checked that they contributed voluntarily. The "other" option was used by respondents to add comments after they checked either one of the first two options.

⁸⁵ The number of persons who answered this question is 135.

Univariate Data (Cont.)

Q.30—In general, I concur with the police's actions to target LTTE operatives in Canada. (n=219)		
Strongly Disagree	118	53.9%
Disagree	63	28.8%
Agree	24	11.0%
Strongly Agree	14	6.3%

Q.31—How did you find out about my survey? (Check all that apply) (n=253)⁸⁶		
From Canadian Tamil newspapers	51	20.2%
From Canadian Tamil websites	27	10.8%
From a community leader	13	5.1%
I received an e-mail	99	39.1%
From conversation with friends	32	12.6%
Other	31	12.2%

Q.32—Do you have any additional comments?		
Total⁸⁷	110	

Q.33—Did you receive any assistance in completing this survey? (n=227)		
No	223	98.2%
Yes	4	1.8%

Q.34—How was the assistance given to you? (Check all that apply). (n=5)		
Someone read the questions and/or answers for me	0	0.0%
Someone read and answered the survey for me	1	20.0%
Someone translated the questions and/or answers for me	2	40.0%
Someone helped me with the on-line format	0	0.0%
Other	2	40.0%

Q.35—Who assisted you? (n=6)		
Family	5	83.3%
Friend	0	0.00%
Other	1	16.7%

⁸⁶ 229 participants completed this section, some of whom selected more than one option.

⁸⁷ 110 participants volunteered comments in this section. Some of those will later be illustrated.

Tamil Canadian Nationalism Survey



இலங்கையின் பிரச்சினைகளுக்கு
தமிழீழத்தை அங்கீகரித்தலின் மூலம்
முடிவுகாண இயலுமா?

WOULD THE RECOGNITION OF A TAMIL EELAM BRING AN END TO THE CONFLICT IN SRI LANKA?

Greetings, I am a Master of Arts student at the University College of the Fraser Valley, in British Columbia. I am currently completing a study on Tamil Nationalism in Canada, and I need your assistance to complete a brief on-line survey. The survey will take less than 5 minutes to complete and is confidential and anonymous. It is my belief that the results of the survey will assist in creating a better awareness among the Canadian public of the plight of Tamil Canadians along with their needs. Please note that the survey is strictly reserved to Tamils of 18 years of age and older, who are living in Canada and/or are Tamil Canadians. For more information, please visit our website from May 15th until May 31st, 2008, at www.tamilcanadiansurvey.org